

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116

CWP-14689-2023

Date of Decision: 14.07.2023

PINKY AND ANOTHER

... Petitioners

VERSUS

UNION BANK OF INDIA AND OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Jai Bhagwan Tobria, Advocate
for the petitioners.

Mr. Gaurav Goel, Advocate
for the respondents-Bank

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing/setting aside impugned notice dated 05.06.2023 (Annexure P-5) under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 Act issued by the respondent-bank of public E-auction qua the property in question to be held on 13.07.2023.

2. Learned counsel for respondents-bank informs that the auction scheduled for 13.07.2023 has failed, therefore, present writ petition is rendered infructuous.

3. Even otherwise, in our considered opinion, in view of pendency of CWP-20823 of 2019 filed by the borrower (petitioner No.1 is the sister and petitioner No.2 is the mother of the principal borrower

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i.e. petitioners in CWP CWP-20823 of 2019) which is pending adjudication for 11.10.2023, the present writ petition may not be maintainable.

4. However, keeping in view the facts and circumstances, but without expression of opinion on the merits of the matter, writ petition is dismissed as infructuous.

(LISA GILL)
JUDGE

14.07.2023
Rimpal

(RITU TAGORE)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No