

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-15028-2023

Date of decision : 17.07.2023

M/s K.M Trading Company and another

.....Petitioners

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Ashish Aggarwal, Advocate with
Mr. Abhinandan Jindal, Advocate,
Ms. Aashna Aggarwal, Advocate and
Mr. Karan Singla, Advocate
for the petitioners.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for issuance of writ in the nature of Mandamus directing the respondents No.2 to 4 to enter the mutation in favour of the petitioner in terms of sale certificate dated 31.03.2021 issued by the Punjab & Sind Bank in exercising the powers conferred to it under Section 13 read with Rules 8, 9 & 12 of the Security Interest (Enforcement) Rules, 2002 and in terms of Registered Sale Deed dated 17.03.2022.

Learned Senior Counsel, at the outset, submits that for the redressal of the grievances, petitioners have already filed the appeal before respondent No.2-Deputy Commissioner, Sangrur. He submits that the appeal which has been filed is being adjourned time and again and now it is fixed for hearing before the Deputy Commissioner on 25.07.2023. He further submits that in the similarly situated circumstance, this Court had passed the order in CWP-239-2021 dated 24.08.2022 and

the case of the petitioner is also similar to the same.

Notice of motion.

On the asking of Court, Ms. Akshita Chauhan, DAG, Punjab accepts notice on behalf of the respondents-State.

After hearing counsel for the parties and perusing the record, this Court finds that the petitioner has already availed his alternative remedy by filing the appeal but the same has not been decided till date. In the facts and circumstances, the petition is disposed of with direction to the Deputy Commissioner, Sangrur that after hearing counsel for both the sides, decide the appeal, which is already fixed for 25.07.2023, within 15 days thereafter.

17.07.2023
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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