

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(250)

CWP-19964-2020

Decided on :17.05.2023

M/s G.B. Gill Trading Company

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE MANISHA BATRA**

Present: None for the petitioner (s).

Mr. Navneet Singh, Sr. DAG, Punjab.

Mr. Shailender Kashyap, Advocate
for respondent No.3.

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition filed under Article 226/227 of the Constitution of India is to the securitization proceedings including the possession notice dated 25.01.2019 (Annexure P-3), which would go on to show that there was outstanding of ₹41,43,754/- at that point of time.

2. The petitioner had been given the indulgence to deposit ₹6 lakhs which was approximate half of the overdue amount and the remaining overdue was to be deposited on or before 31.05.2021. Resultantly, the impugned order dated 27.10.2020 passed by the Duty Magistrate-cum-Tehsildar, Amritsar under Section 14 of the Securitization and Re-construction of Financial Assets and Enforcement of Security Interest Act, 2002 had been stayed, vide order dated 06.04.2021.

3. On 22.04.2021 the following order was passed:-

“The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

Learned counsel for the petitioner states that the necessary amount in pursuance of order dated 06.04.2021 could not be deposited as the son of the petitioner, who made the undertaking to deposit Rs.6 lakh, was busy looking after his father, who has now lost complete memory.

Post again on 25.05.2021.

The necessary amount be deposited within three weeks from today.

Reply, if any, be filed in the meantime.

Interim order to continue till the next date of hearing.”

4. Thereafter, on 01.02.2023 counsel had pleaded no instructions and accordingly actual date notice was issued to the petitioner. A report has been received that the petitioner does not come at the given address.

5. Keeping in view the above, we dismiss the present writ petition for want of prosecution. All interim orders stand vacated.

(G.S. SANDHAWALIA)
JUDGE

(MANISHA BATRA)
JUDGE

17.05.2023
Naveen

Whether speaking/reasoned :	Yes	
Whether Reportable :		No