

2023:PHHC:118377-DB

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-19843-2023
Date of decision: 11.09.2023.

UCO BANK

..... Petitioner

V/S

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. K.P.S.Dhillon, Advocate for the petitioner.

Mr. Sandeep jain, Additional A.G. Punjab.

Mr. Nayandeep Rana, Advocate for respondents No.2 and 3.

LISA GILL J. (ORAL)

1. The petitioner - UCO Bank has filed this petition seeking direction to respondent Nos.2 and 3 to decide its representation dated 26.06.2023 (Annexure P-7).

2. It is submitted that a departmental charge has been created on secured assets duly mortgaged in favour of the petitioner-Bank in violation of provision of the Recovery of Debts and Bankruptcy Act, 1993, Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) besides judgment of Hon'ble the Supreme Court in *M/s Kamla Engg. & Steel Industries, Ludhiana vs. Punjab National Bank, Ludhiana and others 2021(1) R.C.R.(Civil) 66*.

Therefore, in this factual matrix, representation dated 26.06.2023 (Annexure P-7) was submitted by the petitioner before the respondents but

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no action thereon has been taken.

3. Keeping in view the limited prayer as addressed before us, this writ petition is disposed of with a direction to the competent authority to decide representation dated 26.06.2023 (Annexure P-7) within a period of six weeks from the date of receipt of certified copy of this order.
4. It is clarified that there is no expression of opinion on the merits of the matter.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

11.09.2023.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No