

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

223

CWP-24209-2021

Date of Decision: 03.08.2023

PARDEEP KUMAR

... Petitioner

VERSUS

CANARA BANK AND ANOTHER

....Respondents

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

Present: Mr. Sandeep Kumar Bokolia, Advocate
for the petitioner.

Mr. Saksham, Advocate
for the respondent.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing impugned notice dated 03.11.2021 issued by respondent-bank under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 Act and e-auction notice dated 03.11.2021 (Annexure P-2).

2. Notice of motion was issued in this writ petition by co-ordinate Bench on 30.11.2021. It was further directed that subject to the petitioner depositing a sum of Rs.3 lakhs with the respondent-bank within four weeks, proposed sale scheduled to be held on 18.12.2021 would proceed but the same should not be confirmed. It was further clarified that in default of compliance of the said condition, interim relief granted to the petitioner would automatically stand vacated.

3. Learned counsel for the respondent submits that said

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amount in terms of order dated 30.11.2021 was not deposited by the petitioner. It is further submitted that the petitioner has alternate efficacious remedy, therefore, this writ petition should be dismissed.

4. Learned counsel for the petitioner submits that he has no instructions as the petitioner has not contacted him ever since.

5. Writ petition is accordingly dismissed for non-prosecution. Needless to say petitioner is at liberty to avail alternate remedy as may be available to him in accordance with law.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

03.08.2023
Rimpal

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