

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

CWP-24321-2021

DATE OF DECISION: 27.04.2023

M/S BLADDER INDIA THROUGH ITS PARTNERS

.....PETITIONER

VS.

STATE BANK OF INDIA

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: None for the petitioner.

Ms. Madhu Dayal, Advocate,
for the respondent-Bank.

G.S.SANDHAWALIA, J. (ORAL)

1. The challenge in the present petition is to the auction notice dated 08.11.2021 (Annexure P-1) of the mortgaged property.
2. On the last date of hearing, i.e. 12.12.2022, none had put in appearance on behalf of the petitioner. Today, again none has put in appearance on behalf of the petitioner.
3. Learned counsel for the respondent-Bank having advance notice points out from the paper-book that on an earlier occasion CWP-13961-2019 (Annexure P-5) was dismissed with cost of ₹20,000/- by noticing that the OTS offer of 2018 and 2019 had not been complied with and therefore, the accounts have not been settled against that cash credit limit of ₹35 lakh and term loan of ₹75.50 lakh.
4. Thereafter, CWP-13147-2020 was also dismissed on 19.01.2021 by noting that the counsel was not appearing and neither 25%

of the amount due has been deposited, which had earlier been undertaken on 01.09.2020. It has also been brought to our notice that in view of the subsequent sale proceedings, the mortgaged property has been sold for ₹15,10,000/- in an e-auction held on 30.11.2021 as per the sale certificate dated 05.01.2022, whereas the immovable property of 30 marlas 125 square feet was sold for Rs. 52,25,000/-. A copy of the sale certificate has also been supplied by learned counsel for the respondent-Bank in Court today.

5. In such circumstances, we are of the considered opinion that the petitioner has lost the interest in pursuing the litigation.

6. Even otherwise, we are of the considered opinion that filing of repeated writ petitions challenging the auction proceedings on various grounds is uncalled for and this kind of practice by parties is depreciated by this Court.

7. Resultantly, this petition is dismissed.

(G.S. SANDHAWALIA)
JUDGE

April 27, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No