

Neutral Citation No. 2023:PHHC:41479-DB
**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(279)

CWP-24594-2022

Decided on : 21.03.2023

Dharminder Singh

.....Petitioner(s)

Versus

District Magistrate, Ludhiana and another

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MS.JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Vijiyesh Malhotra, Advocate for
Mr. Puneet Gupta, Advocate for the petitioner (s).

Mr.C.S. Pasricha, Advocate for the respondent No.2-Bank.

G.S. Sandhawal, J. (Oral)

In the present writ petition filed under Articles 226/227 of the Constitution of India challenge is to the order dated 22.09.2022 (Annexure P-8) passed by the District Magistrate, Ludhiana wherein possession was ordered to be handed over to the Bank under Section 14 of the Securitization and Re-construction of Financial Assets and Enforcement of Security Interest Act, 2002. The following order was passed on 27.10.2022:-

“Notice of motion for 06.01.2023.

Subject to the petitioner paying ₹25 Lakhs to respondent No.2-Bank within one week, the petitioner shall not be dispossessed from the secured asset. Such payment shall be kept in the No Lien Account by the respondent No.2-Bank and shall be received by it without prejudice to its rights in the Writ Petition.

In default of compliance of this order, this order shall stand vacated.”

Mr. Pasricha appearing for the respondent No.2-Bank has submitted that the deposit has not been made. The order is self speaking that in default the order is to be vacated.

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We are of the considered opinion there is no reason to continue hearing in the present case on account of the default at the hands of the petitioner.

Counsel appearing on behalf of Mr. Gupta submits that he has instructions to withdraw the case.

Accordingly, the present writ petition is dismissed as not pressed.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

21.03.2023
Naveen

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