

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(223)

CWP-30378-2022

Decided on :02.05.2023

Ramesh Kumar

.....Petitioner(s)

Versus

Punjab & Sind Bank

.....Respondent(s)

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

Present: None for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition filed under Articles 226/227
of the Constitution of India is to the securitization proceedings.

2. On 30.12.2022, the following order was passed.

“Petitioner has approached this Court praying for quashing of notice under Section 13(4) of the the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short,'the SARFAESI Act'), dated 12.12.2022, vide which auction of the property has been fixed for today, i.e. 30.12.2022.

It has been contended by counsel for the petitioner that petitioner before this Court is a poor person and though he has paid the amount to the respondent-Bank, however, the amount became due on account of higher rate of interest. He submits that petitioner is ready to pay Rs.3.00 lakhs today itself and he would deposit Rs.2.00 lakhs within ten days thereafter.

Notice of motion for 16.01.2023.

After hearing counsel for the petitioner and the statement given by him before this Court, it is directed that in the meantime, auction may go on, however, the same would not be confirmed subject to compliance of the statement given by counsel for the petitioner before this Court that the petitioner would pay Rs.3.00 lakhs today itself out of the total amount and Rs.2.00 lakhs, he would pay within ten days thereafter.

Needless to say that if the petitioner does not comply with the aforementioned statement made by his counsel, the interim order would automatically stand vacated.

Office to give a copy of this order Dasti to counsel for the petitioner.”

3. On 16.01.2023 none was present on behalf of the petitioner. No application has been filed whether compliance of the order reproduced above has been made or not.

4. In such circumstances, we dismiss the present petition for want of prosecution, since the counsel is not coming forth.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

02.05.2023
Naveen

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