

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

228

CWP-36864-2019 (O&M)
Date of decision:-17.08.2023

RUKSANA AND ANOTHER

.... Petitioners

VS

CENTRAL BANK OF INDIA AND ORS

...Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE MANISHA BATRA

Present: None for the petitioners.

Mr. Baldev Singh, Advocate for respondents No.1 and 2.

Mr. Sandeep Jain, Addl. A.G. Punjab.

Lisa Gill, J. (Oral)

1. Prayer in the writ petition is for setting aside notice dated 29.11.2029, Annexure P-1, issued by Authorized Officer, Central Bank of India, Jalandhar requesting the petitioners to handover physical possession of property.
2. Notice of motion was issued in this writ petition on 23.12.2019 along with notice regarding stay.
3. Thereafter, petitioners were directed to deposit a sum of Rs.3 Lacs with the respondent-Bank within four weeks from 04.02.2020 with dispossession of the petitioners from the property to remain stayed. It was then brought to notice of the Court that amount

in terms of order dated 04.02.2020 has not been deposited and petitioners continued to be in possession of the property through a tenant and further no amount had been paid since 29.10.2018. In view of the above, interim relief granted on 04.02.2020 was vacated vide order dated 19.04.2022 passed in this writ petition.

4. Learned counsel for the respondent-Bank submits that auction of the property in question had been held on 26.11.2019 i.e. prior to filing of the writ petition in December, 2019. Sale was confirmed on 27.11.2019 in favour of one Smt. Rajni. Actual physical possession of the property has been taken pursuant to vacation of interim order on 19.04.2022.

5. Today, none appears on behalf of the petitioners.

6. Writ petition is accordingly dismissed in default and for non-prosecution.

**(LISA GILL)
JUDGE**

**(MANISHA BATRA)
JUDGE**

17.08.2023
pooja saini

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No