

2024:PHHC:019206-DB

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH  
CWP No.819 of 2022(O&M)  
Date of Decision:12.02.2024

Manpreet Singh

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL  
HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: None for petitioner.

Mr. Rohit Bansal, Sr. DAG., Punjab.

Mr. Vijiyesh Malhotra, Advocate  
for Mr. Sandeep Suri, Advocate  
for respondent no.3.

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LISA GILL, J(Oral).

1. Prayer in this writ petition is for directing respondent no.2 not to proceed with application under Section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act') for taking physical possession of property in question as the same has been purchased by petitioner vide agreement to sell dated 27.08.2019, Annexure P-2, prior to its being mortgaged with respondent no.3 by respondents No.4 and 5.
2. Petitioner in this writ petition claims to have entered into an agreement to sell dated 27.08.2019 with respondents no.4 and 5. It is further pleaded that suit for specific performance was filed by petitioner in which status quo regarding property was granted. Mortgage of property in question,

it is stated was carried out by respondent no.5 allegedly in connivance with his son after execution of agreement to sell dated 27.08.2019.

3. Learned counsel for respondent no.3 submits that this writ petition is rendered infructuous as petitioner in any case has no interest in the property as the suit for specific performance stands withdrawn by petitioner on 20.01.2024 in view of compromise as effected by him with the private respondents. Copy of order dated 20.01.2024 passed by learned Civil Judge (Jr. Division), in Court today is taken on record subject to just exceptions.

4. Perusal of file reveals that none has been appearing on behalf of petitioner on the last two occasions when this writ petition was taken up for hearing. Today, again there is no representation on behalf of petitioner. It appears that petitioner is not interested in pursuing the matter any longer.

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

( LISA GILL )  
JUDGE

(AMARJOT BHATTI)  
JUDGE

February 12, 2024.  
s.khan

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