



211

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

CWP-2658-2023

Date of Decision:- 14.05.2024

TATA CAPITAL HOUSING FINANCE LTD.,

....Petitioner

Vs.

THE DISTRICT MAGISTRATE, PATIALA, PUNJAB & ORS.

...Respondents

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

Present:- Mr. Lakshay Jindal, Advocate and Mr. Navnoor Singh Gill,
Advocate for petitioner

Mr. R.S. Pandher, Sr. DAG, Punjab.

LISA GILL, J.

1. Prayer in this writ petition is for directing respondent Nos.2 and 3 to assist petitioner in securing and taking physical possession of mortgaged properties pursuant to order dated 15.01.2020 (Annexure P-3) passed by District Magistrate, Patiala under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act').

2. Status report by way of affidavit of Mr. Arvind Kumar, Sub Divisional Magistrate Patiala on behalf of respondent Nos.1 and 2 filed in Court today by learned counsel for respondent- State, is taken on record, subject to just exceptions. Learned counsel for State informs that possession could not be delivered as petitioner could not identify property in question.

3. Learned counsel for petitioner submits that application dated 26.04.2024 has been filed by the petitioner before Teshildar seeking demarcation of property in question.
4. Learned counsel for State submits that, due to ensuing General Election, necessary action shall be taken on application dated 26.04.2024 by 4th week of June, 2024 and order dated 15.01.2020 will be implemented in accordance with law latest by 30.07.2024.
5. Writ petition is, accordingly, disposed of with the direction that necessary action be taken by concerned officials in accordance with law and possession be delivered in terms of statement as above subject to order, if any by Court of competent jurisdiction.
6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

14.05.2024
snd

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