

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3760-2024

Date of Decision: May 02, 2024

TARLOK CHAND

..... Petitioner

Versus

CANARA BANK, MUKERIAN

..... Respondent

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

Present: None for the petitioner.

Mr. Gaurav Goel, Advocate for the respondent – Bank.

LISA GILL, J.

1. Prayer in this writ petition is for quashing proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) initiated against the petitioner. Petitioner also seeks direction to respondent – Bank to settle his account which is alleged to have been declared Non Performing Asset (NPA) in an illegal fashion.

2. It is pleaded that loan facility was availed of by petitioner in March, 2019. GECL facility was also afforded during period of COVID-19. Property, as detailed in para 4 of this petition, was mortgaged. Certain amounts, as detailed in para of writ petition, it is pleaded were deposited on assurance of respondent – bank that account of petitioner would be regularized but still proceedings under SARFAESI Act were continued.

3. Perusal of file reveals that on 19.02.2024, none appeared on behalf of petitioner as lawyers had suspended work. Thereafter, arguing counsel for petitioner was stated to be in personal difficulty on 02.04.2024 and the matter was adjourned to 01.05.2024. On 01.05.2024 at request of learned counsel for petitioner, matter was adjourned for today.

4. Today, despite the matter being called twice, none appears on behalf of petitioner. It appears that petitioner is not interested in pursuing the matter any longer.

5. Present petition is, accordingly, dismissed in default and for non prosecution. Petitioner shall, however, be at liberty to avail statutory remedy(ies) available to him in accordance with for any grievance in respect to proceedings under SARFAESI Act initiated against him, if so advised.

(LISA GILL)
JUDGE

May 02, 2024

rts

(AMARJOT BHATTI)
JUDGE

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