

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.4401 of 2024(O&M)

Date of Decision:28.02.2024

Munesh

.....Petitioner

Versus

ICICI Home Finance Company Limited and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL
HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Munish Thakur, Advocate
for the petitioner.

Mr. Nitin Thatai, Advocate
for respondents.

LISA GILL, J(Oral).

1. Prayer in this writ petition is for setting aside demand notice dated 12.07.2023, Annexure P-4, under Section 13(2) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short SARFAESI Act), possession notice dated 16.10.2023, Annexure P-5, under Section 13(4) of SARFAESI Act and order dated 23.01.2024, Annexure P-6, passed by the District Magistrate, Faridabad, under Section 14 of SARFAESI Act.

2. It is submitted that the matter has been amicably resolved between the parties. It is agreed that overdue amount of Rs. 6,30,000/- shall be deposited by petitioner today itself. Demand drafts dated 20.02.2024, for a total sum of Rs.1,35,000/- each, totaling Rs.2,70,000/- have been handed over to learned counsel for respondent no.1 today. Photocopy thereof are taken on record subject to just exceptions.

3. It is further agreed that a sum of Rs. 3,60,000/- shall be deposited with the respondent-Bank through RTGs or demand draft by

4.30.p.m., today itself i.e., 28.02.2024. Petitioner further undertakes that she would deposit the installments regularly as they fall due in future and there will be no default thereof. It is agreed that in case, total amount of Rs.6,30,000/- Lakh is deposited today itself, respondent no.1 would regularize the loan account of petitioner. However, in case, there is default, proceedings under SARFAESI Act would be taken against petitioner.

4. In view of consensus which have been arrived at between the parties, this writ petition is disposed of as infructuous without expression of any opinion on the merits thereof or even its entetrainability.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

February 28, 2024.
s.khan

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