

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.7165 of 2024(O&M)

Date of Decision:22.03.2024

Lal Chand and another

.....Petitioners

Versus

District Magistrate, Ambala and others

..... Respondents

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

Present: Mr. Ashwani Nagra, Advocate
for the petitioner.

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

LISA GILL, J(Oral).

1. Prayer in this writ petition is for setting aside communication dated 15.03.2024, Annexure P-5, issued by respondent no.2 to respondent no.3 stating therein that physical possession of mortgaged property of petitioners as mentioned in writ petition shall be taken on 22.03.2024 in compliance of order passed by the District Magistrate, Ambala.

2. At the asking of Court, Mr. Sandeep Suri, Advocate, who generally represents respondent no.3 in this Court, was called upon to seek instructions regarding submission on behalf of petitioners that they are ready and willing to amicably resolve the matter. Learned counsel for respondent no.3, on instructions from Mr. Rajesh Bhatia, Zonal Manager, submits that total outstanding as on today is Rs.32,31,146/- and in case, sum of Rs.13,85,000/- i.e., the overdue amount is deposited by petitioners, their account can be regularized subject to an undertaking given by them that they

would continue to deposit the future installments regularly at the stipulated period.

3. It is agreed that a sum of Rs.1,00,000/- by way of demand draft dated 12.03.2024 shall be deposited by petitioners today itself and sum of Rs.4,00,000/- on 23.03.2024 with rest of the amount of Rs.8,85,000/- being deposited on or before 15.04.2024. Petitioners would also deposit the installment falling due for the month of April and would further regularly deposit future installments as they fall due without any default. Undertaking in this respect would be submitted by petitioners before respondent no.3. Proceedings for taking possession, it is agreed would be deferred till then.

4. Learned counsel for petitioners, on instructions from petitioners, who are stated to be present in Court submits that amount in question shall be deposited as above. Affidavit of petitioners in this respect furnished in Court today is taken on record subject to just exceptions. Requisite undertaking would also be submitted before respondent no.3 on 23.03.2024.

5. In view of the consensus that has been arrived at between parties, this writ petition is disposed of accordingly without expression of any opinion on the merits of the matter or even its entertainability.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

March 22, 2024.

s.khan

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