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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-26236-2021 (O&M)

Date of Decision:- 08.01.2024

M/S SHIVOM APPARELS

...Petitioner

Vs.

CENTRAL BANK OF INDIA AND ANOTHER

...Respondents

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 No.1.

LISA GILL, J.

1. Prayer in this writ petition is for setting notice dated 16.06.2021 (Annexure P-3) issued under Section 13 (2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the SARFAESI Act) as well as notice dated 19.10.2021 (Annexure P-5) issued under Section 13 (4) of SARFAESI Act.

2. Learned counsel for respondent No.1 submits that this writ petition is not entertainable as petitioner has an efficacious remedy under the provisions of SARFAESI Act. He further points out that proposal for One Time Settlement (OTS) submitted by petitioner was rejected on 25.03.2022 as two out of three mortgaged properties have already been sold with auction of third property not being successful.

3. Perusal of file reveals that none had appeared on behalf of petitioner when this writ petition had been taken up for hearing on the last date of hearing. Today, again there is no representation on behalf of petitioner. It appears that petitioner is not interested in pursuing the matter any longer.

4. Writ petition is, accordingly, dismissed in default and for non-prosecution. Pending miscellaneous applications, if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

08.01.2024
snd

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