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

CWP-29623-2022

Date of Decision: 13.02.2024

M/s Birkha Ram Suresh Kumar and others

..... Petitioners

Versus

District Magistrate-cum-Deputy Commissioner, Fatehabad and others

..... Respondents

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

Present: Mr. Ajay Beniwal, Advocate
for Mr. Vivek Goyal, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG Haryana.

Ms. Madhu Dayal, Advocate
for respondent No. 3-Bank.

LISA GILL, J. (Oral)

1. Prayer in this writ petition is for quashing notice dated 20.05.2022 (Annexure P-1) issued under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act') and sale notice dated 15.11.2022 (Annexure P-3). There is further prayer for directing respondent bank to decide application dated 02.11.2022 (Annexure P-2) for One Time Settlement (OTS). Further prayer is for restraining respondents from taking physical possession of mortgaged property in question and not to dispossess petitioners from the same.

2. Learned counsel for respondent-Bank on instructions from Mr. Virender Kumar, CCO, SBI SARB, Panchkula submits that this writ petition is rendered infructuous as petitioner's account has been settled and closed.

3. Closing of petitioner's loan account is affirmed and verified by learned counsel for petitioners.

4. Writ petition is accordingly disposed of as infructuous, without any expression of opinion on the merits of matter.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

13.02.2024

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