



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

**CWP No.7372-2025 (O&M)
Date of Decision: 18.03.2025**

M/s Gautam Trading Company and others

....Petitioners

Versus

District Magistrate, Bhiwani and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Mukesh Rao, Advocate and
Mr. Shubham Aneja, Advocate for the petitioners.

* * * * *

ANUPINDER SINGH GREWAL, J. (Oral)

Learned counsel for the petitioners submits that the petitioners have preferred a SA No.75 of 2025 before the DRT-II. When the matter had come before the DRT-II on 04.02.2025, it was directed that in case the respondents intend to take possession it would give 15 days notice in writing to the petitioners. Thereafter, the SA could not be taken up for hearing as the DRT is non-functional for want of Presiding Officer. He also submits that the respondents have not given 15 days notice to the petitioners before taking possession and are intending to take possession of the premises on 02.04.2025 in terms of the impugned notice dated 03.03.2025(Annexure P-14). He therefore, submits that the petitioners be protected by this Court till DRT-II resumes functioning otherwise, the petitioners would be left remediless.

2. Issue notice to the respondents.



3. At the asking of the Court, Mr. Anant Kataria, DAG, Haryana accepts notice on behalf of respondents No.1 and 2 and Mr. Tajender Joshi, Advocate puts in appearance on behalf of respondents No.3 to 5. He upon instructions from Mohit Sethi, AGM submits that the notice for possession had been duly affixed at the premises of the petitioners on 03.03.2025 itself. He however, further submits that as the DRT-II is non-functional, the respondents No.3 to 5 would defer taking over the possession of the secured asset till the DRT-II resumes functioning. A fresh notice of 15 days will be given to the petitioners in view of the directions passed by this Court in **Allahabad Bank Vs. District Magistrate, Ludhiana, 2021(4) RCR (Civil) 571**, whenever the respondents would intend to take possession of the premises.

4. In view of the submissions of counsel for the respondents, we are of the view that the grievance of the petitioners appears to have been substantially redressed at this stage. The petition stands disposed of as infructuous.

(ANUPINDER SINGH GREWAL)
JUDGE

18.03.2025
sapna

(DEEPAK MANCHANDA)
JUDGE

Whether Speaking/Reasoned :
Whether Reportable :

Yes/No
Yes/No