



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

CWP No.15650 of 2025 (O&M)

Date of Decision: 27.05.2025

SUNITA JHAMB AND ANOTHER

.....Petitioners

Versus

CANARA BANK DHOLEWAL

.....Respondent

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

Present: Mr. Alok Mittal, Advocate
for the petitioners.

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ANUPINDER SINGH GREWAL, J. (Oral)

The petitioners are seeking directions to the respondent to secure and auction the stock, plant, machinery and other miscellaneous fixed assets in property measuring 12281-1/2 Sq. Yds. comprising kharsa No.24//21/2, khata No.197/248, khasra No.23//16, 24//20, 21/1, khata No.24/40, as per jamabandi for the year 2004-05, situated at village Maangarh, Near Kohara, H.B. No.223, Tehsil and District Ludhiana.

2. Learned counsel for the petitioners submits that the petitioners are two of the partners of the borrower-firm. They along with other partners had taken a loan for a sum of Rs.7.85 crores. The outstanding dues as per the auction notice dated 23.04.2025 (Annexure P-13) issued by the respondent-Bank are Rs.8.37 crores. Their residential house and the other mortgaged property is being put to auction. However, the respondent-Bank is not making any efforts towards selling the plant, machinery, stock and other miscellaneous fixed assets, which would be enough to realize the outstanding dues. The delay on the part of the respondent-Bank in auctioning these assets is detrimental to the interest of the petitioners as their debts are mounting day by day.

3. Issue notice to the respondent.



4. Mr. Rakesh Gupta, Advocate puts in appearance on behalf of the respondent-Bank and submits that the respondent-Bank would immediately try to take possession of the premises as besides the petitioners there are other borrowers who are creating hindrance in the efforts of the respondent-Bank to obtain possession and sell the assets. The respondent-Bank shall be preferring an application under Section 14 of the SARFAESI Act to the District Magistrate within a period of ten days and the petitioners should offer all possible cooperation in handing over the possession to the respondent-Bank.

5. Learned counsel for the petitioners, upon instructions from the petitioners who are present in Court, submits that the petitioners would render all possible cooperation and would not create any hindrance in the efforts of the respondent-Bank to secure possession and sell the secured asset through auction.

6. In view of the above, the grievance of the petitioners appears to have been substantially redressed, at this stage. The petition stands disposed of accordingly.

7. It is clarified that we are not expressing any opinion on the merits of the matter. This order shall have no bearing on adjudication by the competent Court/Tribunal.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

27.05.2025
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No