

2025:PHHC:130134-DB



CWP-23920 of 2021 (O&M)

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

**CM-14907 of 2022 in/and
CWP-23920 of 2021(O&M)
Date of decision: 19.09.2025**

GAURAV KANODIA

....Petitioner

V/S

STATE BANK OF INDIA AND ANOTHER.

... Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present:- Mr. Manuj Nagrath, Advocate for the petitioner.
Mr. Rakesh Gupta, Advocate (Arguing Counsel) and
Ms. Manvi Arora, Advocate for the respondent no.1-Bank.
Mr. Sunil Chadha, Senior Advocate (Arguing counsel) with
Ms. Devyani Sharma, Advocate
for the respondent no.2-Auction Purchaser.

SHEEL NAGU, CHIEF JUSTICE (Oral)

CM-14907 of 2022

For the reasons mentioned in the application, the prayer for impleading the MSTC as respondent no. 3 is considered and allowed. The amended memo of parties is taken on record.

Main Case

1. This petition has been filed by one Gaurav Kanodia, who is alleged to have participated in the auction held on 12.11.2021 and was declared the highest bidder in respect of Lot/Property ID:- SBIN200007564558, which formed part of the secured assets, being alienated by the respondent no.1-Bank



CWP-23920 of 2021 (O&M)

for recovery of loan extended to one Iqbal Industry, whose account was declared NPA in August, 2021.

2. Learned counsel for the petitioner and learned counsel for respondent no.1-Bank as well as learned senior counsel appearing on behalf of auction purchaser, in respect of Lot/Property ID:- SBIN1400007573873 (another part of the secured assets) are heard.

3. Learned counsel for respondent no.1-Bank and also learned senior counsel for the auction purchaser have drawn the attention of this Court to the fact that after depositing the EMD of Rs.26,70,000/- in respect of Lot/Property ID:- SBIN200007564558 (being part of the secured assets), the petitioner had a zero balance in the wallet (specially opened account by an intended auction purchaser, in terms of the auction notice), and, therefore, it is obvious as per the contentions of respondents that the petitioner was not genuinely serious in making any bid in respect of Lot/Property ID:- SBIN1400007573873.

4. On the other hand, learned counsel for the petitioner has argued that fraud has been played upon the petitioner by manipulating the auction portal in such a manner that it remained open only for a short period of time, thereby facilitating participation of only the private respondents in the bid.

5. After having heard the learned counsel for the rival parties, we are of the considered view that there are large number of disputed questions of fact involved herein, which ought not to be gone into while exercising writ jurisdiction under Article 226 of Constitution of India.

6. However, the submissions of learned counsel for the respondents that the petitioner has no *locus-standi* in respect of Lot/Property ID:- SBIN1400007573873, appears to be tenable, as there was no money in the wallet

2025:PHHC:130134-DB



CWP-23920 of 2021 (O&M)

account of the petitioner for placing the bid, in respect of Lot/Property ID:- SBIN1400007573873, as is evident from Annexure R1/1 appended with the written statement filed by respondent no.1-Bank.

7. In view of the above, this Court declines interference on the ground that the petitioner has no *locus-standi* to file this petition. Accordingly, this petitioner stands dismissed with costs of Rs. 10,000/- to be deposited with the Poor Patients Fund, PGI, Chandiarh, within 10 days.

8. All pending Civil Miscellaneous application(s) also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

19.09.2025

Kamal Gandhi

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