

237(22 Cases)

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

Date of Decision: 16.09.2025

(I) CWP-7219-2018

2025:PHHC:130444



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(II) CWP-8639-2018

2025:PHHC:130447



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(III) CWP-8963-2018

2025:PHHC:130450



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(IV) CWP-8384-2018

2025:PHHC:130453



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(V) CWP-8680-2018

2025:PHHC:130456



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(VI) CWP-8678-2018

2025:PHHC:130458



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(VII) CWP-8592-2018

2025:PHHC:130460



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(VIII) CWP-8440-2018

2025:PHHC:130462



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(IX) CWP-8378-2018

2025:PHHC:130464



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(X) CWP-8379-2018

2025:PHHC:130469



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XI) CWP-8380-2018

2025:PHHC:130473



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XII) CWP-8370-2018

2025:PHHC:130478



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XIII) CWP-8374-2018

2025:PHHC:130487



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XIV) CWP-8375-2018

2025:PHHC:130489



Municipal Corporation, Amritsar
Through
Commissioner-cum-Competent Authority

..... Petitioner

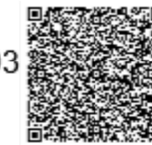
Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XV) CWP-8376-2018

2025:PHHC:130493



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XVI) CWP-8377-2018

2025:PHHC:130496



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XVII) CWP-8373-2018

2025:PHHC:130499



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XVIII) CWP-8372-2018

2025:PHHC:130500



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XIX) CWP-8371-2018

2025:PHHC:130502



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XX) CWP-8381-2018

2025:PHHC:130503



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XXI) CWP-8382-2018

2025:PHHC:130504



Municipal Corporation, Amritsar
Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

(XXII) CWP-8383-2018

2025:PHHC:130506



Municipal Corporation, Amritsar Through
Commissioner-cum-Competent Authority

..... Petitioner

Versus

Punjab National Bank Through
Chief Manager/General Power of Attorney Holder

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sanjeev Soni, Advocate
for the petitioner(s) (in all the cases).

Mr. D.K. Gupta, Advocate
for the respondent-Bank (in all the cases).

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (ORAL)

This common order shall dispose of the above-mentioned twenty two writ petitions, as all of them involve common questions of law and fact. For convenience, the facts are being taken from CWP No.7219 of 2018.

2. The present petition seeks issuance of a writ in the nature of Certiorari for setting aside judgment dated 20.07.2017 (Annexure P-7)

passed by the learned Additional District Judge, Amritsar, whereby the order dated 22.01.2016 (Annexure P-6) passed by the learned Commissioner, Municipal Corporation, Amritsar, under Section 269 of the Punjab Municipal Corporation Act, 1976 ('the 1976 Act'), directing demolition of unauthorized constructions; has been set aside at the instance of the Punjab National Bank, which claims to be the mortgagee in possession of the properties in question.

3. Apparently, the demolition order passed by the learned Commissioner, Municipal Corporation, Amritsar, under Section 269 of the 1976 Act, has been set aside by the learned Additional District Judge, Amritsar, vide impugned order dated 20.07.2017 (Annexure P-7), primarily on the ground that before passing the demolition order dated 22.01.2016, no Show Cause Notice had been served upon the mortgagee, i.e. Punjab National Bank.

4. During the course of hearing, learned counsel for the petitioner(s) submits that the authorities would proceed to issue fresh notices to all the concerned parties, including the Punjab National Bank, and then pass necessary orders as per law; however, it is urged that in the meanwhile, the Bank may not dispose of the properties taken over by it from Sherwood Officers Society (Regd.) under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('the SARFAESI Act').

5. At this stage, learned counsel for the respondent-Punjab National Bank submits that the Bank shall not dispose of any of the unsold properties and shall await the final outcome of the proceedings under the 1976 Act and/or the Rules or Bye-laws framed thereunder.

6. Learned counsel for the petitioner(s) submits that, in view of the aforesaid stand taken by the respondent-Punjab National Bank, the Municipal Corporation, Amritsar, shall proceed to issue appropriate notices in respect of the twenty two properties forming the subject matter of the present writ petitions and/or any other illegal/unauthorized constructions within Sherwood Officers Society (Regd.), within a period of three months from today, and the said proceedings shall be taken to their logical end.

7. Keeping in view the aforesaid submissions made by learned counsel for the respective parties, the present writ petitions are disposed of with a direction that the Municipal Corporation, Amritsar, shall issue appropriate notices in respect of the properties forming the subject matter of the present writ petitions and/or any other illegal/unauthorized constructions within Sherwood Officers Society (Regd.); within a period of two months from today and shall thereafter proceed in accordance with law, after affording due opportunity of hearing to all concerned parties. Meanwhile, the respondent-Punjab National Bank shall remain bound by the statement made on its behalf before this Court that the Bank shall not dispose of any of the unsold properties, which have been taken over by them in Sherwood Officers Society (Regd.) under the SARFAESI Act, till the conclusion of the proceedings by the Municipal Authorities as indicated above. Let the entire exercise, subsequent to the issuance of notices, shall be completed within a period of six months from today.

8. All pending application(s), if any, shall also stand closed.

9. Photocopy of this order be placed on the files of other connected cases.

16.09.2025
Apurva

(HARSH BUNGER)
JUDGE

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