



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

101

**RA-CW-18-2025 IN
CWP-34651-2024.
Date of Decision: 14.01.2025.**

Punjab National Bank

....Petitioner.

VERSUS

State of Punjab and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Ankush Verma, Advocate
for applicant/respondent No.6.

ANUPINDER SINGH GREWAL, J. (Oral)

The applicant/respondent No.6 is seeking modification of order dated 19.12.2024, whereby direction had been issued to the official respondents to provide adequate police help to enable the petitioner to take possession of the property in accordance with law.

2. Learned counsel for applicant/respondent No.6 submits that applicant is the borrower and has preferred an SA along with IA before the DRT-III, Chandigarh. The SA is pending adjudication before the DRT-III, Chandigarh, on 25.03.2025. The IA preferred by the applicant seeking interim stay of the notice issued by Tehsildar dated 24.12.2024 has been dismissed by the DRT-III, Chandigarh, on 10.01.2025 on the ground that this Court has

passed orders for providing police help and the applicant could not be entertained at the eleventh hour. Learned counsel submits that he is confining the relief in this review application to the adjudication of the SA and IA which the applicant is intending to prefer on merits without being influenced by the order passed by this Court on 19.12.2024.

3. Issue notice in the application.

4. At the asking of the Court, Mr. Adeshwar Singh Pannu, Assistant Advocate General, Punjab, accepts notice of the application on behalf of respondents No.1 to 5.

5. Mr. Ankit Kaushal, Advocate has put in appearance and accepts notice on behalf of non-applicant/petitioner.

6. Heard.

7. This Court, vide order dated 19.12.2024, had directed the respondents to implement the order dated 30.11.2023 (Annexure P-3) passed by the District Magistrate under Section 14 of the SARFAESI Act, by providing police help to enable the petitioner/secured creditor to take physical possession of the property. The applicant, who is the borrower, has preferred SA which is pending adjudication before the DRT-III, Chandigarh, on 25.03.2025. The IA was dismissed as this Court directed that official respondents to provide adequate police help to the non-applicant/petitioner expeditiously within two months from the date of the order.

8. We do not find any good ground to modify the order dated 19.12.2024 and the application is dismissed. However, it is clarified that the SA preferred by the applicant would be decided in accordance with law

without being influenced by any observation made by this Court in the order dated 19.12.2024.

**(ANUPINDER SINGH GREWAL)
JUDGE**

**(LAPITA BANERJI)
JUDGE**

14.01.2025
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No