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

CWP-2891-2025 (O&M)

Date of decision: February 03, 2025

HDFC Bank Ltd.

....Petitioner

versus

Chief Judicial Magistrate, Gurugram and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE SUMEET GOEL**

Present:- Mr. Rajesh Punj, Advocate
(**presence marked through video-conferencing**) and
Mr. Sahaj Punj, Advocate for petitioner.

Mr. Rahul Bhargava, Advocate for respondents No.2 and 3.

SUDHIR SINGH, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a Writ in the nature of Mandamus seeking direction to respondent No.1 to decide petition dated 08.08.2023 (Annexure P-1) under Section 14 of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act').

2. Learned counsel for the petitioner – Bank submits that a petition dated 08.08.2023 (Annexure P-1) has been filed by the petitioner – Bank before the Chief Judicial Magistrate, Gurugram for taking possession of the mortgaged immovable property situated at Gurugram to secure credit facilities of Rs.5 crores raised by respondent No.2, but the same is pending till

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date. He relies on a decision rendered by a Coordinate Bench of this Court in **CWP-11499-2019** titled **Oriental Bank of Commerce versus State of Punjab and others**, decided on 14.05.2024.

3. Without commenting on merits of the case, this petition is disposed of. The Chief Judicial Magistrate concerned is directed to dispose of the petition dated 08.08.2023 (Annexure P-1), expeditiously, in accordance with law, in light of decision *ibid*.

4. Pending application(s), if any, shall also stand disposed of.

(SUDHIR SINGH)
JUDGE

(SUMEET GOEL)
JUDGE

February 03, 2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No