



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

CM-10070-CWP-2025 in/and CWP-5657-2023 (O&M)

Date of decision : 23.07.2025

Punjab & Sind Bank

.....Petitioner

Versus

State of Punjab and others

.....Respondents

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

Present: Mr. Anant Bir S. Sidhu, Advocate (through video conferencing),
for the petitioner.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

Mr. Aditya Dassaur, Advocate,
for respondents No.8 and 9.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. With the consent of learned counsel for the parties, the matter is pre-poned and taken up today itself for arguments.

2. The present petition has been filed by the petitioner Bank, aggrieved by non-execution of the order dated 08.02.2018 (Annexure P-6) passed by Additional District Magistrate, Ludhiana.

3. Learned counsel for respondents No.8 and 9 (guarantors) has raised various contentions, which fall in the realm of disputed questions of fact and the same cannot be gone into by this Court, especially when the guarantor has already approached the Debts Recovery Tribunal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of



Security Interest Act, 2002 (SARFAESI Act), where no interim order has been passed in favour of the guarantor, as informed by learned counsel for respondents No.8 and 9.

4. It is surprising to note that the District Magistrate, Ludhiana, and Tehsildar, Ludhiana, have failed to comply with their statutory duty of handing over physical possession of the secured asset to the petitioner Bank.

4.1 The Non Performing Assets (NPA) are a huge burden on the public exchequer, which are required to be liquidated and recovered at the earliest.

5. In view of the above, this petition is disposed of by issuing a writ of mandamus to District Magistrate, Mohali, to execute the order dated 08.02.2018 (Annexure P-6) passed by Additional District Magistrate, Ludhiana, within a period of thirty days.

6. Compliance report by District Magistrate, Mohali, be filed in Registry of this Court, latest by 15.09.2025, failing which the matter be put up for appropriate directions.

7. For the time being, this CWP stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

July 23, 2025
narotam

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