

(2012) 03 P&H CK 0285
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 5556 of 2011

Barinder Mohan Singh

APPELLANT

Vs

State Bank of Patiala and another

RESPONDENT

Date of Decision : 26-03-2012

Acts Referred:

Citation : (2012) 03 P&H CK 0285

Hon'ble Judges : M.M. Kumar, J;Alok Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

M.M. Kumar, J.—The petitioner was successful bidder in respect of the property which was put to auction on 29.3.2011. The petitioner deposited 25% of the bid amount and the balance 75% of the amount amounting to Rs. 43,57,500/- was to be paid within 15 days of the payment of 25% of the amount on 29.3.2011. Accordingly the balance amount was required to be deposited by the middle of April, 2011. The petitioner sought extension and as a gesture of goodwill extension for a period of 30 days for depositing balance amount of 75% was granted. The aforesaid period of 30 days also expired on 28.4.2011. The petitioner did not adhere to the terms of auction and had not deposited the above said amount despite sufficient time granted to the petitioner. Accordingly, the respondent-bank in its reply dated 2.11.2011 has clarified that the amount of 25% is also liable to be forfeited. It is in these circumstances that the petitioner has approached this Court for restraining the respondent bank from re-auctioning the property in dispute.

We have heard learned counsel for the petitioner at some length. It is patent that the petitioner, who himself has been defaulter, cannot come to the Court with any such prayer despite extension given upto 28.4.2011 for depositing balance amount of 75%. The petitioner continued to default and is now making an ugly effort to stall the process of fresh auction. The writ petition is wholly without merit and does not warrant admission. Dismissed.