

Adesh Bhardwaj vs. State Bank of India & Anr.

**CWP No. 15930 of 2025 a/w
CWP No. 15932 of 2025**

Item No. D-43

15.10.2025

Present: Mr. Naresh Kumar Tomar, Advocate, for the petitioner(s) alongwith petitioner(s).

Mr. Arvind Sharma, Advocate, for the respondents.

CMP No. 25094 of 2025 in CWP No. 15930 of 2025 and CMP No. 25093 of 2025 in CWP No. 15932 of 2025

The present applications have been filed for impleadment of respondents No. 3 & 4, i.e. District Magistrate, Sirmour and The Executive Magistrate, cum-Tehsildar Paonta Sahib, respectively in both the petitions.

Keeping in view the amount deposited and the bonafide which has been shown, the abovementioned applications are allowed and respondents No. 3 & 4 are impleaded as party in both the petitions. Office to make necessary corrections in the memo of parties.

Applications stand disposed of.

CWP No. 15930 of 2025, CWP No. 15932 of 2025 and CMP No. 25092 of 2025 in CWP No. 15930 of 2025 and CMP No. 25091 of 2025 in CWP No. 15932 of 2025

Demand Draft of ₹7,50,000/-, in favour of the respondent bank has been produced by counsel for the petitioner, photocopy of the same be retained. The original

of the same is handed over to Mr. Arvind Sharma, Advocate, for the respondent bank.

It is pointed out that a similar amount has already been paid to the bank on 09.10.2025 to show the bonafide, and thus a total sum of ₹15,00,000/- has been received by the bank, against the approximate sum of ₹44,00,000/-.

Issue Notice. Mr. Arsh Rattan, learned Deputy Advocate General, appears and waives service of notice on behalf of respondents No. 3 and 4-State. Copies be supplied to the counsel of the State.

CMP No. 25092 of 2025 in CWP No. 15930 of 2025 and CMP No. 25091 of 2025 in CWP No. 15932 of 2025

The present applications have been filed for staying the impugned order dated 05.09.2023 passed by respondent No. 3, in both the petitions.

Keeping in view the amount deposited and the bonafide which has been shown, we direct that the petitioner(s) shall not be dispossessed from the mortgage property/ residential house, till the next date of hearing.

It is open to the petitioner(s) who are present in the Court also alongwith their counsel to approach the bank for settlement of their dues before 24.10.2025 keeping

in view the fact that they have already got dismissal orders
from the DRT dated 12.03.2025 against them.

To come up on **20.11.2025**.

(G.S. Sandhawalia)
Chief Justice

15th October, 2025
(Anurag)

(Jiya Lal Bhardwaj)
Judge