

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

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Civil Writ Petition No.12173 of 2015

Date of Decision: July 16, 2015

M/s Kaushik Recovery Agency, Proprietorship Firm having its office at
Siwan, District Kaithal through its Proprietor Surinder Kumar Kaushik

...Petitioner

Versus

The Haryana Gramin Bank and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Sandeep Goyal, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioner that as per the agreement dated 02.03.2013 (Annexure P-1) entered into between the petitioner and respondent No.1-The Haryana Gramin Bank, petitioner was appointed as an agency to expedite the recovery of the loan accounts of the members of the said bank. The period of the agreement was extended on yearly basis. Petitioner got the recoveries effected from the clients/account holders of the respondent-Haryana Gramin Bank, relatable to Branches of village Agondh, Harshola and Kangthali-respondents 3 to 5. The details of the accounts, of which, the recovery was effected on the efforts of the petitioner, were given to the Regional Manager, Sarva Haryana Gramin Bank, Hisar-respondent No.2, by way of a notice through counsel dated 20.04.2015 (Annexure P-11). In response thereto, a reply dated 11.05.2015 (Annexure P-12) has been received, denying the claim of the petitioner by merely mentioning that no efforts were made by the petitioner, which would have fructified the accounts, and therefore, it was not entitled to the claim of

commission.

Counsel for the petitioner states that the details, which were given by the petitioner in its notice, are supported by the registers, copies of which have been appended as Annexures P-4 to P-6, where the bank officials have acknowledged the fact that the petitioner has been approaching the account holders for the recovery of the loan amount.

Counsel, therefore, contends that the petitioner at this stage would be satisfied if a direction is issued to respondent No.2 to pass a detailed speaking and reasoned order with regard to the claim of the petitioner, as has been projected by the petitioner in its notice dated 20.04.2015 (Annexure P-11) within some specified time.

In view of the statement made by the counsel for the petitioner, without going into the merits of the case or commenting thereon, the present writ petition is disposed of with directions to the Regional Manager, Sarva Haryana Gramin Bank, Regional Office, SCF 24-25, Defence Colony, Hisar-respondent No.2, to consider and decide the legal notice of the petitioner dated 20.04.2015 (Annexure P-11), by passing a speaking order, within a period of one month from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioner forthwith.

July 16, 2015

Puneet

(AUGUSTINE GEORGE MASIH)

JUDGE