

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

CWP No.2875 of 2015

Date of Decision.23.02.2015

Surinder Singh

.....Petitioner

Versus

State of Haryana and others

.....Respondents

Present: Ms. Minakshi Poswal, Advocate for
Ms. S.K. Mamli, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The petitioner cannot force a creditor to seek for enforcement of debt against one portion of the land from the joint debtors. The liability in Indian law of any debt is joint and several in the absence of contract to the contrary and it shall be left to the creditor to choose the person from whom the recoveries will be made. It will be left to the joint debtor to seek for contribution from the other person who has also suffered obligation after making the payment more than his share. I cannot pass the order in the manner in which it is sought for the bank to realize one half of the loan from the person who has half share in the property for which loan had been obtained.

2. The writ petition is dismissed.

**(K. KANNAN)
JUDGE**

February 23, 2015

Pankaj*