

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

256

Civil Revision No.3439 of 2016

Date of Decision: December 06, 2016

BRANCH MANAGER PUNJAB NATIONAL BANK TIMBER
MARKET AMBALA CANTT

-PETITIONER

VERSUS

M/S J.D. BUILDERS 121 MODEL TOWN AMBALA CANTT &
ORS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: None for the petitioner.

Ms. Ashima Mor, Advocate
for respondent No.1.

Mr. Vivek Singla, Advocate
for respondents No.2 and 3.

RAJ MOHAN SINGH, J. (ORAL)

Petitioner has assailed order dated 27.11.2015 passed by Additional Civil Judge (Sr. Divn), Ambala vide which application filed by the petitioner for directing the decree holder to supply copy of FDR dated 13.01.1983 in a sum of Rs.25,000/- which was deposited as security by the petitioner with the respondents No.2 and 3 was dismissed.

Respondent No.1 is a partnership firm for carrying out construction work and was registered as Class-I contractor with

respondent No.2. Respondent executed one FDR No.HRC/LD/A-025593 on 13.01.1983 in a sum of Rs.25,000/- from Hindustan Commercial Bank which was subsequently merged with Punjab National Bank herein known as the petitioner.

The aforesaid FDR along with six other FDRs were deposited by the respondent as security with respondents No.2 and 3 against allotment of a contract.

After completion of contract, a dispute arose between the parties for which a civil suit was filed by respondent No.1. The civil suit was decreed and as a consequence of that, the amount in question was paid to respondent No.1 by the petitioner-Bank. Somehow, the FDRs were lost in the transit but the necessary amount was made by the petitioner to respondent No.1. For formal closing of the account, petitioner-Bank requires leave of the Court. Respondents are in agreement with the contention of the petitioner inasmuch as that for closing the account, permission of the Court is required. Since the payment has already been made to the respondent No.1 by the petitioner-Bank, therefore, the FDRs in question be considered for formal closing of the account of respondent No.1 and FDRs stands discharged.

This revision petition is accordingly disposed of.

(RAJ MOHAN SINGH)
JUDGE

December 06, 2016

jyoti Y.

Whether speaking/reasoned Yes/No

Whether reportable Yes/No