

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

CRM-M-34488-2015 (O&M)

Date of decision: 07.11.2016

IQBAL SINGH

...Petitioner(s)

Versus

STATE OF PUNJAB AND ORS.

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present : Mr. Achin Gupta, Advocate for the petitioner (s).

Mr. Luvinder Sofat, AAG, Punjab

Mr. Rajesh K. Dhiman, Advocate for respondent No.4-Bank.

Jitendra Chauhan, J. (Oral)

By way of present petition, the petitioner has sought the issuance of directions to respondent Nos.2 and 3 to take legal action against respondent No.4 for illegal possession of the vehicle of the petitioner.

The learned counsel for the petitioner fairly admits that on 14.08.2015, he was clearly in arrears for about 3 to 4 months whereas learned counsel for respondent No.4 states that he was in arrears for the last six months. In pursuance of the complaint made by the petitioner, the competent authority carried out the necessary investigation and observed that the dispute between the petitioner and respondent No.4 is of civil nature. During the course of argument, an offer was made by learned

counsel for respondent No.4 that the custody of the vehicle can again be restored back to the petitioner, in case, he pays the outstanding amount. However, the learned counsel for the petitioner is not in position to make any submission in this regard.

In view of the facts that the petitioner after securing the loan and taking possession of the vehicle did not pay the instalments for considerable months; he is not ready and willing to accept the offer made by learned counsel for respondent No.4; and the competent authority has already held that the matter is of civil nature, therefore this Court feels that the petitioner lacks bonafide and is totally ill-conceived. Consequently, it warrants dismissal.

Ordered accordingly.

07.11.2016

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned: Yes / No

Whether reportable: Yes / No