

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

204

CWP-2703-2015

Decided on : 22.08.2016

Sham Lal Jindal

... Petitioner

Versus

CIC and others

.. Respondents

CORAM : HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present : Mr. Surinder Gaur, Advocate
for the petitioner.
Mr.S.C.Arora, Advocate
for respondent No.3.

G.S.Sandhawalia, J. (Oral)

It is not disputed that the petitioner being proprietor of *M/s Gupta and Company* was holding an account with respondent No.2-bank. Information was sought vide application dated 05.06.2013 (Annexure P/1) pertaining to the entries made on 28.09.2011 whereby the amount of Rs.86,00,000 and Rs.1,65,76,310/-were debited. Similarly, an amount of Rs.1,75,00,000/- was credited on 28.03.2012 voucher of which was asked for. The information sought, was denied on the ground that investigation was pending by CBI. Reference was made to Section 8(1)(h) while passing the orders dated 14.06.2013 and 01.07.2013 (Annexure P/4 (Colly)). First appeal was also disposed of on 19.07.2013 (Annexure P-6).

It is not disputed that investigation has already been completed in the said criminal proceedings and final report under Section 173 Cr.P.C. dated 27.11.2013 has been paced on record as Annexure P-11.

Counsel has referred to the fact that the petitioner stands exonerated from the charge, however, a window has been kept open by the Investigating Agency regarding other allegations. The second appeal was

also dismissed on 21.07.2014 (Annexure P/8) on the same ground that the investigation was being conducted by the CBI.

Counsel for the bank submits that now information already stands supplied in the original application in the proceedings pending before the Debt Recovery Tribunal which fact is denied by the counsel for the petitioner.

Keeping in view the fact that in principle, the bank has agreed and stated that information as sought by the petitioner, has already been supplied before the Debt Recovery Tribunal (DRT), a direction is issued to the bank to supply necessary information as asked for, within a period of three weeks from the date of receipt of certified copy of the order. The impugned orders dated 14.06.2013 (Annexure P/4), 19.07.2013 (Annexure P/6) and 21.07.2014 (Annexure P/8) which are subject matter under challenge, are hereby set aside.

Petition is disposed of in the above terms.

[G.S.Sandhawalia]
Judge

22.08.2016

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No