

CWP No.4999 of 2016

[1]

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

**CWP No.4999 of 2016
Date of decision:16.03.2016**

Malkiat Singh

...Petitioner

Versus

Punjab National Bank and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sarbjit Singh Khaira, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

This petition is filed for the issuance of a writ in the nature of *mandamus*, seeking a direction to respondents No.2 to 4 to complete the formalities for deleting the lien of the bank in the jamabandi in which the land in question is recorded in the name of the petitioner and has also prayed for compensating the petitioner for ₹10 lacs on account of harassment.

It is alleged in the petition that the petitioner was in jail from 12.08.2014 to 15.08.2015 and when he was released from the jail, he found that his land has been mortgaged by respondent No.4 with the Punjab National Bank and has secured a loan of ₹4.5 crores. The petitioner submitted an application to the bank authorities alleging therein that

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respondent No.4 has nothing to do with the land in question as it is owned by him and had also prayed that necessary formalities may be carried out for scrapping the lien of the bank in the revenue records over the land which is owned and possessed by the petitioner.

It is submitted by counsel for the petitioner that the bank has replied to his legal notice, in which the petitioner was advised to visit the bank/office along with ID proof/witness on any working day during the working hours to collect the property papers from the bank.

Instead of going to the bank, the petitioner has filed the present petition.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that the present petition is totally frivolous because the petitioner should have approached the bank at the first instance.

At this stage, learned counsel for the petitioner prays for withdrawal of the present petition.

Dismissed as withdrawn accordingly.

March 16, 2016
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(Rakesh Kumar Jain)
Judge