

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

**LPA No.457 of 2016 (O&M)**

**Date of Decision : 29.3.2016**

Bharat Bhushan Singla

....Appellant

Versus

State Bank of India and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER  
HON'BLE MRS.JUSTICE LISA GILL

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1. Whether Reporters of Local Newspapers 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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Present: Mr.D.R.Bansal, Advocate  
for the appellant.

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**MAHESH GROVER.J.**

The appellant impugns the judgment of the learned Single Judge dated 28.1.2016 by which he had refused to interfere with the award of the Permanent Lok Adalat where the petitioner had filed a plea against a Branch Manager, who, according to him, had refused to release Rs.10,000/- from his saving bank account and had also not acceded to the request of the appellant's wife when she wanted to nominate her daughter as a beneficiary of the fixed deposit in the bank.

The Permanent Lok Adalat had noticed the improbabilities of the prayers made to decline them which was approvingly viewed by the learned Single Judge.

Before this Court, learned counsel for the appellant has contended that because of the obstruction in the release of fund which was required for treatment of his wife, she suffered and eventually died.

We are of the opinion that these are matters which raise highly disputed questions of fact regarding the transaction alleged to have been refused by the Bank Manager and its consequent adverse affect on the appellant. The writ court was evidently fettered with constraints in dealing with the disputed questions of fact and we while considering the impugned judgment would intend to agree that even if the best case of the appellant had been accepted, the writ court would not have been in a position to exercise its jurisdiction under Article 226 of the Constitution of India in view of the conflict of facts which need to be established conclusively on the basis of adequate material/evidence.

We, therefore, decline to interfere with the impugned judgment and dismiss the appeal with liberty to the appellant to take recourse to his alternate remedies in law.

(MAHESH GROVER)  
JUDGE

29.3.2016  
dss

(LISA GILL)  
JUDGE