

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

CRM No.M-8003 of 2016

Date of decision: 07.09.2017

Balwinder Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab.

Mr. Varun Katyal, Advocate for respondents No.5 and 6.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for direction the respondents No.1 to 4 to take proper legal action against respondent No.6 and its recovery agent who are making efforts to re-possess the vehicle of the petitioner bearing registration No.PB11-AJ-9885 on account of default in payment of the loan installments.

On 04.03.2016, counsel for the petitioner has given an undertaking that the petitioner shall clear the outstanding amount within a period of 15 days and notice of motion was issued for 21.03.2016. Subsequently, the matter was referred to the Mediation and Conciliation Centre of this Court, however, no settlement could be arrived and on 07.11.2016 again counsel for the petitioner sought time to seek instructions with regard to complying with the undertaking given by him as noticed in the order dated 04.03.2016. Again on 19.12.2016, the statement was made by respondents No.5 and 6 that since the vehicle in question has already been re-possessed by

respondents No.5 and 6/Financer as the petitioner has failed to comply with the undertaking as per the order dated 04.03.2016 and, therefore, the petition has become infructuous. Even today, counsel for the petitioner submits that he has no instructions if the petitioner has complied with the order dated 04.03.2016.

In view of the above, the present petition is dismissed having been rendered infructuous as respondents No.5 and 6 have already taken the possession of the vehicle in dispute.

(ARVIND SINGH SANGWAN)
JUDGE

07.09.2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No