

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.22161 of 2017 (O&M)

Date of Decision:- 13.11.2017

Akshay Garg

... Petitioner

Versus

Indiabulls Housing Finance Limited

... Respondent

CORAM: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Gurvinder Singh Gill

Present:- Mr. Anand Chhibbar, Senior Advocate with
Mr. Vaibhav Sahni, Advocate, for the petitioner.

Mr. V.K. Sachdeva, Advocate for respondent No.1.

Rajesh Bindal, J.

After the payments already made by the petitioner to settle the housing loan account, as per learned counsel for respondent No.1, a sum of ₹ 7.42 lacs are still due. On payment thereof, entire account of the petitioner with respondent No.1 will stand settled with no further claim.

Learned counsel for the petitioner submitted that the petitioner is submitting a cheque of ₹ 7.42 lacs drawn on State Bank of India bearing No.053797 dated 16.11.2017 to Mr. V.K. Sachdeva, learned counsel appearing for respondent No.1. Subject to the encashment of the aforesaid cheque, respondent No.1 would withdraw all the pending cases against the petitioner and any other family member, pertaining to the loan in question. He further submitted that original title deeds of the property mortgaged has to be returned to the petitioner and no objection certificate has to be issued.

The petitioner had also submitted certain posted dated cheques to

respondent No.1, the same be also returned back.

Learned counsel for respondent No.1 submitted that on encashment of the cheque as noticed above, all the cases as detailed below shall stand withdrawn with no further action taken by respondent No.1, on mere submission of copy of the present order in the Court concerned by either of the parties. The detail of cases is as under:-

CNR Number	Title	Next date of hearing
HRGR03-006053-2017	Indiabulls Housing Finance Ltd. Vs. Rekha Garg	13-12-2017
HRGR03-015097-2016	Indiabulls Housing Finance Ltd. Vs. Rekha Garg	17-11-2017

The aforesaid cases are pending in the Court of Judicial Magistrate 1st Class, Gurugram.

All the post dated cheques submitted by the petitioner and original title deeds of the property mortgaged will be returned back to the petitioner. Even no objection and no dues certificate shall also be issued within a period of one week thereafter.

The present petition is disposed of accordingly.

A copy of order be sent to Judicial Magistrate 1st Class, Gurugram for placing the same on record of the aforesaid cases.

(Rajesh Bindal)
Judge

13.11.2017
pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No