

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

(108)

CWP-58-2017

Decided on: January 10, 2017.

M/s Garg Iron and Timber Store

.... Petitioner

Versus

Kotak Mahindra Bank Ltd and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Harsh Aggarwal, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

The grievance of the petitioner is that the respondents have unreasonably demanded, vide order Annexure P-5, deposit of 2%+ST on sum of Rs.4 crores to release the property papers after clearance of the dues.

Learned counsel for the petitioner submits that the petitioner is ready to discharge his liability to the extent of remaining liability which is only Rs.34 lacs for seeking the release of the property papers. It appears that the petitioner has not filed any reply or protest to the email communication Annexure P-5 dated 18.11.2016 received from respondent No.2.

Since the unreasonableness of the demand has been challenged without approaching respondent No.2, this petition appears to be pre-mature.

This petition is disposed of as pre-mature at this stage with liberty to the petitioner to submit his representation/protest/objections to Annexure P-5 within a period of 15 days expecting that the said grievance of the petitioner will be fairly looked into expeditiously by passing a

speaking order by respondents No.1 and 2. It is observed that in case any imminent threat or injustice, it will be open to the petitioner to approach this Court again.

Disposed of as pre-mature without prejudice to the right of the petitioner.

(M.M.S. BEDI)
JUDGE

January 10, 2017
harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No