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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 841/2017

JATINDER KUMAR KHURANA

..... Petitioner

Through: Mr. Harish Malhotra, Sr. Adv. with
Mr. B.K. Khurana & Mr. Mohit
Gupta, Advs.

Versus

PUNJAB NATIONAL BANK

..... Respondent

Through: Mr. Sartaj Singh, Adv. with Mr. D.S.
Arora, Chief Manager, PNB, Janpath,
New Delhi

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

07.09.2017

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1. This order is in continuation of the earlier order dated 4th August, 2017.
2. Mr. D.S. Arora, Chief Manager, Punjab National Bank of Janpath Branch has appeared and on being asked has stated that the matter of interpretation of circulars as contented by the senior counsel for the petitioner cannot be settled at the level of the bank.
3. I have in order dated 4th August, 2017 already observed that the questions as have arisen were not subject matter of the *lis* from which this petition arises and the petitioner will have to take appropriate remedies.
4. This petition is accordingly disposed of with the clarification that though the decree of which execution was sought stands satisfied but the

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observation of the Executing Court being beyond the scope of the decree are of no avail and the petitioner/decreed holder is at liberty to take appropriate proceedings for the recovery of deficit amount, if any, released by the respondent Bank with respect to FD Account No.013100TA00000516.

5. Since the question was pending adjudication in a wrong forum, it is further clarified that subject to the petitioner initiating appropriate proceedings on or before 1st November, 2017, the same shall be considered on merits.

No costs.

A copy of this order be given *dasti*.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 07, 2017

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