IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

115

C.M. NO.16502 CII OF 2018 &
C.O.C.P. NO.1659 OF 2018
DATE OF DECISION: NOVEMBER 12, 2018

Mahavir Agro Industries, District Shri Muktsar Sahib

.....Petitioner

VERSUS

Mr.G.S.Bhatia

....Respondent

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Dilpreet Singh Gandhi, Advocate,
for the petitioner.

Mr. C. S. Pasricha, Advocate,
for the respondent.

Mr. J. S. Dhaliwal, Advocate,
for the applicant in C.M. No.16502 CII of 2018.

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AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging non-compliance of order dated 06.04.2018 (Annexure P-1) passed in Civil Writ Petition No.8608 of 2018, the operative part of which reads as under:-

> "*In view of the stand taken before us, the instant writ petition is disposed of without expressing any views on merits with a direction to the respondent-bank to supply the complete statement of account of M/s Mahavir Agro Industries to the petitioner, after adjusting the payments and/or the sale proceeds of the stocks, if any. The petitioner may thereafter*

> *submit a fresh OTS proposal within one week from the date of receiving complete statement of account in respect of the dues payable by the deceased borrower. The said OTS offer shall be considered by the respondent-bank sympathetically and as per its policy. The respondent-bank shall supply the statement of account within one week.*
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> *Meanwhile, auction may be held but it shall not be confirmed till the bank takes decision on the OTS offer made by the petitioner."*

A perusal of the above order would indicate that the bank was required to adjust the payments and/or the sale proceeds of the stocks, if any, while supplying the complete statement of account to the petitioner-Company. This information was supplied to the petitioner by the Bank on 19.04.2018 (Annexure R-6). The statement, which has been appended alongwith the said communication, is for the period from 03.10.2014 to 18.04.2018. In the said statement, learned counsel for the Bank has pointed out the sale proceeds with regard to the stocks. It, therefore, cannot be said that the account statement does not reflect the sale proceeds of the stocks, which have been sold. If any sale has been done after the supply of the account statement, the same has to be credited to the account of the petitioner, which the counsel for the Bank states has been so done.

The contention of learned counsel for the petitioner that the Bank was also required to disclose the stocks available with the Bank, as per the order passed by this Court, this detail, according to the Court, was not required to be supplied to the petitioner as the order is silent with regard to this aspect.

The order, in the considered view of this Court, stands complied with.

The present petition, therefore, stands disposed of as having been rendered infructuous.

Rule issued against the respondent stands discharged.

Since the main contempt petition stands disposed of, no orders are required to be passed on C.M. No.16502 CII of 2018.

November 12, 2018 **(AUGUSTINE GEORGE MASIH)**
khurmi **JUDGE**

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No