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

CR No.4656 of 2017 (O&M)
Date of Decision : 27.08.2018

Karnail Singh and another

...Petitioners

versus

State Bank of India

....Respondent

CORAM : HON'BLE MR. JUSTICE B.S.WALIA

Present: Mr. Parminder Singh, Advocate for the petitioners.
Mr. Inder Pal Singh Doabia, Advocate for the respondent.

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B.S.WALIA, J. (Oral)

1. Prayer in the revision petition is for setting aside order dated 01.07.2017 (Annexure P-2), passed by the learned Civil Judge (Junior Division), Assandh, issuing conditional warrants of arrest against the petitioners for failure to clear the decretal amount of ₹2,91,899/- along with interest.

2. Learned counsel for the petitioners states that a sum of ₹1,00,000/- had already been deposited by the petitioners before the learned Executing Court while pursuant to order dated 19.07.2017, another sum of ₹1,00,000/- was deposited by the petitioners before the learned Executing Court by 28.07.2017. Learned counsel states that the petitioners would be satisfied if the revision petition is disposed of by granting liberty to the petitioners to approach the bank authorities for reduction of outstanding amount.

3. Learned counsel for the respondent states that he has no objection in case the petitioners approach the bank authorities within two

weeks from today and whatever reduction is permissible as per rules and regulations/policy applicable would be considered and granted in favour of the petitioners. Learned counsel further states that the aforementioned concession is subject to the condition that the amount as is finally determined by the bank authorities is paid by the petitioners within time to be fixed by this Court.

4. The stand of learned counsel for the respondent is acceptable to the learned counsel for the petitioners.

5. In view of the aforementioned position, the revision petition is disposed of by granting liberty to the petitioners to approach the respondent-bank within two weeks from today whereupon the respondent-bank would consider and decide the petitioners' plea for reduction of the outstanding amount in accordance with the rules and regulations/policy applicable within four weeks thereafter. On decision being taken by the Bank Authorities on the petitioners' plea, the petitioners would make payment of the amount determined as payable by the Bank Authorities within six weeks thereafter. During the aforementioned period, operation of order dated 01.07.2017 (Annexure P-2), shall remain stayed. In case of failure of the petitioners to adhere to the conditions stipulated in this order, the interim protection granted would stand vacated automatically and the respondent-bank would be at liberty to take action in accordance with law.

6. Revision petition disposed of in aforementioned terms.

(B.S.WALIA)
JUDGE

27.08.2018
rajesh.k.khurana

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No