

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.6567 of 2018 (O&M).

Date of decision : 01.10.2018

Guru Dutt (since deceased) through his LRs

...Petitioner

Versus

UCO Bank

....Respondent.

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Naresh Gopal Sharma, Advocate
for the petitioner.

Harinder Singh Sidhu, J.

This revision petition has been filed for setting aside the order dated 28.08.2018 (Annexure P-2) passed by the Civil Judge (Junior Division), Ludhiana.

The petitioner is Legal Representative of defendant No.1 in Civil Suit instituted by the respondent-Bank seeking recovery of Rs.3,24,838/- along with interest. The defendant No.1 had taken a loan of Rs. 5 lacs from the respondent-Bank in the year 2009. He had mortgaged his residential house at the time of availing the loan.

It is the case of the petitioner that defendant No.1 had been regularly paying monthly installment of Rs.9,500/-. Thereafter, the petitioner also deposited some installments including amounts of Rs.1,80,000/- on 23.02.2016 after the death of his father.

Apprehending that the respondent-Bank would initiate some other proceedings for effecting recovery, he filed an application praying for stay of any such anticipated recovery proceedings. The said application has been dismissed vide impugned order dated 28.08.2018.

Learned counsel for the petitioner candidly admitted that as of now, no such proceedings have been initiated by the respondent-Bank. In any case, no direction can be issued to the respondent-Bank not to initiate any legal proceedings that may be available to them as per law.

Accordingly, the petition is dismissed.

(Harinder Singh Sidhu)
Judge

01.10.2018
Atul

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