

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

CWP No. 11709 of 2018

Date of Decision: 29.05.2018

Baljit Kumar

. . . Petitioner

Versus

State of Punjab and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Manmohan Singh Kang, Advocate
for the petitioner.

Mr. R.B.S. Chahal, Addl. A.G. Punjab.
for the State.

Avneesh Jhingan, J. (Oral)

Mr. Manjit Singh Sarao, Advocate, has put in appearance and
filed memo of appearance on behalf of respondent No.3.

The present petition has been filed for quashing of warrant of
arrest dated 24.11.2015 (Annexure P-1).

Apprehension of the petitioner is that he would be arrested.
From the perusal of the writ petition it is evident that petitioner was
sanctioned a loan of Rs.9,00,000/-, which was to be paid in 10 equal
yearly installments and for securing the repayment of the aforesaid loan,
the petitioner mortgaged his land measuring 2 kanals 10 marls situated in
Village Badla Had Bast, Tehsil and District Hoshirpur. Petitioner failed to
repay the loan amount. Consequently, the Assistant Registrar Cooperative

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Societies, Hoshiarpur, exercising his powers, issued warrant of arrest of the petitioner under Section 69 of the Punjab Land Revenue Act, 1887 on 24.11.2015.

Learned counsel for the petitioner fairly states that he has no objection of respondents resorting to the provisions of Section 12 etc. of the Punjab Cooperative Land Mortgage Banks Act, 1957 or other remedies available.

Learned counsel for the respondents could not raise any serious objection.

In view of the above, the writ petition is disposed of with the direction that the petitioner shall not be arrested, at the first instance, without respondents' availing the remedies available to them for recovering the amount.

[AVNEESH JHINGAN]
JUDGE

May 29, 2018
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Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No