

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13192-2018

Date of Decision: May 23, 2018

Ashok Kumar and another

.....Petitioner

Versus

ICICI Home Finance Company and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SHEKHER DHAWAN

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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

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SURYA KANT, J.

Notice of motion.

[2] On our asking, Mr.Sandeep Suri, Advocate, who is present in Court, accepts notice on behalf of the respondents. Let requisite sets of paper-book be handed over to him during the course of day, failing which the writ petition shall stand dismissed for non-prosecution.

[3] In view of the nature of the order, which we propose to pass, there is no need to seek any counter reply from the respondents at this stage as no order on merits prejudicial to their interest is being passed.

[4] The petitioners availed house loan of ₹21,75,000/- from the respondent-Bank on 12.05.2012. Though some of the installments were duly paid, but their account has been eventually classified as 'NPA' and the

Bank has claimed recovery of ₹16,35,000/- from them. The principal

grievance of the petitioners is regarding deduction of a sum of ₹1,20,000/- by the Bank from their loan account. Their stand is that they are willing to pay the entire balance loan amount provided the Bank explains as on what basis the amount of ₹1,20,000/- has been deducted.

[5] In view of the aforementioned stand taken by the petitioners, the writ petition is disposed of with a direction to the respondents to submit a complete statement of account to the petitioners alongwith reasons for deduction of ₹1,20,000/-. As soon as the aforesaid information is supplied, the petitioners may deposit the balance loan amount within one month without prejudice to their right to approach the appropriate Forum, if they are aggrieved by any deduction.

**(SURYA KANT)
JUDGE**

May 23, 2018
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**(SHEKHER DHAWAN)
JUDGE**

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| 1. Whether speaking/reasoned ? | Yes/No |
| 2. Whether reportable ? | Yes/No |