

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

**CWP No. 13902 of 2018
Decided on : 23.08.2018**

Gurbachan Singh

... Petitioner(s)

Versus

Allahabad Bank and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

PRESENT: Mr. M.K. Dogra, Advocate
for the petitioner.

Mr. Sumit Batra, Advocate
for respondents No.1 to 4.

Ms. Ishneet Kaur, Asstt. AG, Punjab.

AJAY KUMAR MITTAL, J. (Oral)

The prayer made in this writ petition filed under Article 226 of the Constitution of India, is seeking quashing the action of the respondents vide which it was claimed that the petitioner was dispossessed illegally from his residential house without any authority of law.

2. Learned counsel for respondents No.1 to 4 stated that the possession of the residential house in question has already been delivered to the petitioner and therefore, the writ petition has been rendered infructuous and may be disposed of as such.

3. The plea of learned counsel for respondents No.1 to 4 has not been controverted by the learned counsel for the petitioner. However, a prayer was made by learned counsel for the petitioner that the petitioner may be permitted to take recourse to the remedies for damages or initiating any criminal proceedings against the respondent-Bank for illegal action of dispossessing him from his residential house.

Disposed of as infructuous. However, it shall be open to the

petitioner to take recourse to the remedies as may be available to him, in accordance with law. However, it is clarified that in case, the respondent-Bank has any right for recovery of the due amount from the defaulter for the house attached, it shall be open for it to take recourse to the remedies as may be available to the respondent-Bank, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

August 23, 2018
J.Ram

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