

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

**CWP No. 23636 of 2018
Decided on : 17.09.2018**

Ms. Menka Kalra

... Petitioner(s)

Versus

ICICI Bank and another

... Respondent(s)

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

PRESENT: Mr. K.P.S. Dhillon, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Mandamus*, for directing respondent No.1 – Bank to recalculate and inform the amount due after applying fixed rate of interest of 8.75% p.a. that too in the case of women borrower, which was the agreed rate of interest, however contrary to the same, respondent No.1-Bank unilaterally and at its own started debiting interest at floating rate besides charging enormous additional interest that too @ 24% besides floating rate of 12% totalling to 36% p.a. which is itself contrary to the Master Circular issued by RBI dated 03.03.2016 i.e. Master Direction – Reserve Bank of India (Interest Rate on Advances) Directions, 2016 RBI/DBR/2015-16, Master Direction DBR.Dir.No.85/13.03.00/2015-16, dated 03.03.2016 and also Master Circular-Housing Finance dated 01.07.2015 issued by RBI, which is squarely in the petitioner's case. Further, a writ of *Certiorari* has been sought, for setting aside the notice dated 26.06.2018 (Annexure P-6), which is stated to be received at the instance of respondent No.1-Bank. Besides above, certain other prayers have also been made.

2.

After arguing for sometime, learned counsel for the petitioner

submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to take recourse to the alternative remedies as are available to her, in accordance with law.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to her, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

September 17, 2018

J.Ram

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