

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

CWP-30227-2018

Decided on: 29.11.2018

Rajinder Singh

.... Petitioner

Versus

Punjab National Bank and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Abhishek Sethi, Advocate for
Ms. Gunjan Mehta, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J (ORAL)

Learned counsel for the petitioner has invoked the extraordinary jurisdiction under Articles 226/227 of the Constitution of India seeking writ of mandamus directing respondent No. 1 to regularize the Term Loan account and CC Limit account of the petitioner, which has been declared as Non-performing asset (NPA).

2. According to the learned counsel, the petitioner has deposited excess amount than default as calculated by the respondent-bank.

3. Reference was made to order dated 02.11.2018 passed in CWP No.28345 of 2018 (Annexure P-11), when the petitioner had approached this Court earlier, whereby a liberty was granted to the petitioner to file a detailed and comprehensive representation within 15 days from the date of receipt of the certified copy of the order, which was required to be decided by the respondent-bank within a period of next one month from the date of receipt of the representation.

4. It has been pointed out that in compliance with the aforesaid order, the petitioner had filed a detailed representation (Annexure P-12) on 07.11.2018. However, without taking any decision thereon, the respondent-bank is attempting to forcibly take possession of the secured asset.

5. In such circumstances, we dispose of the present writ petition by directing the respondent-bank to take a decision on Annexure P-12 by 07.12.2018, and status quo shall be maintained till the decision is taken on the representation (Annexure P-12).

6. A copy of this order be given under the signatures of the Bench Secretary of this Court.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

29.11.2018
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No