

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

CWP-30392-2018

Decided on: 30.11.2018

Sudesh

.... Petitioner

Versus

State Bank of India

..... Respondent

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

Present: Ms. Pragya Malhotra, Advocate for
Mr. C.S. Pasricha, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the bank to restore the possession of the secured asset to the petitioner and to issue 'No Dues Certificate'.

2. For the same relief, the petitioner had approached this Court by CWP No.25441 of 2018 which was disposed of on 04.10.2018 by directing the petitioner to file a comprehensive representation before the respondent-bank.

3. It was contended by learned counsel for the petitioner that in compliance of the aforesaid order, a detailed and comprehensive representation was submitted to the respondent-bank on 10.10.2018 (Annexure P-5). It was urged that no dues certificate has not been issued by the bank so far, even legal notice sent on 13.11.2018 (Annexure P-6) stands unanswered.

4. Accordingly, after hearing learned counsel for the petitioner and without going into the merits of the controversy, we dispose of the present writ petition by directing the respondent-bank to take a decision on Annexures P-5 and P-6 dated 10.10.2018 and 13.11.2018 respectively, within 7 days from the date of receipt of the certified copy of this order, by passing a speaking order and after affording an opportunity of hearing to the petitioner.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

30.11.2018
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No