

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

CWP No. 6451 of 2018

Date of decision : 16.10.2018

HDFC Bank Ltd.

...Petitioner

V/s

M/s J.J. Solvex Pvt. Ltd. & anr.

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. ADS Sukhija, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioner has posed a challenge to the award passed by the Permanent Lok Adalat whereby it has been asked to pay ₹54,321/- to respondent no. 1 alongwith interest as the excess amount is stated to have been charged by the bank. Mr. Sukhija, learned counsel has urged before the court that bank is required to pay service tax to the Government. The amount in question is in respect of same. A perusal of the order passed by the Lok Adalat, however, shows that it has come to the conclusion that there was nothing on record to show that bank was entitled to demand fee @ 4.44% from the respondent-loanee. On calculation it found that remaining principal amount came to ₹5,84,837/- but bank had demanded ₹6,39,158/-. It, thus, directed the bank to refund the access amount. I find no infirmity with the order passed by the Forum. Petition is, thus, without any merit and is hereby dismissed.

October 16, 2018

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No