

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

**CWP No. 33470 of 2018
Decided on : 19.12.2018**

M/s New Shalimar Body Builder and others

... Petitioner(s)

Versus

The Authorized Officer/Chief Manager,
Union Bank of India and others

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

PRESENT: Mr. Bhupinder Kumar Gupta, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioners have prayed for issuance of a writ in the nature of *Mandamus*, for directing the respondent-Bank to consider the representation dated 04.12.2018 (Annexure P-12), whereby, the petitioner has prayed for settling the loan account by way of One Time Settlement (in short 'OTS').

2. Learned counsel for the petitioners submitted that in pursuance to the possession notice dated 04.12.2018 (Annexure P-11), the petitioners had filed the representation (Annexure P-12) on the same day for settlement of account under the OTS Scheme for ₹ 67.00 lakhs. It was further urged by learned counsel for the petitioners that though it has not been averred in the writ petition, but as per his instructions, the respondent-Bank has taken over the physical possession of the secured asset on 06th December, 2018.

3. Learned counsel for the petitioners urged that for the relief claimed in the writ petition, the petitioners had moved several representations on 09.11.2018, 17.11.2018, 01.12.2018, 04.12.2018 & 05.12.2018 (appended as Annexures P-7, P-8, P-10, P-12 & P-13, respectively) to the respondents, but no action thereon has

been taken so far. Accordingly, a prayer was made that the respondent Bank be

directed to decide the aforesaid representations expeditiously in a time bound manner, in accordance with law.

3. After hearing learned counsel for the petitioners, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present writ petition by directing respondent No.2 to take a decision on the latest representation (Annexure P-13), after affording an opportunity of hearing to the petitioners by passing a speaking order, in accordance with law, within a period of fortnight from the date of receipt of certified copy of this order.

(AJAY KUMAR MITTAL)
JUDGE

(SUDIP AHLUWALIA)
JUDGE

December 19, 2018

J.Ram

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