

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

CWP-17328 of 2016

Date of decision: 03.12.2019

Ramesh Saini

.... Petitioner

versus

State of Punjab and others

... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Ms. Sunint Kaur, AAG, Punjab.

Mr. Vikas Chatrath, Advocate
for respondent No.4.

HARSIMRAN SINGH SETHI, J.

Learned counsel for respondent No.4-bank states that in the present writ petition, show cause notice dated 02.08.2016 has been challenged and up to now, no order of recovery has been passed by the respondents, therefore, the present writ petition is pre-mature as no order, causing prejudice to the petitioner, has been passed so far.

Learned counsel for the petitioner admits that at present, there is no order of recovery passed against the petitioner and only show cause notice has been issued and petitioner has liberty to convince the respondents that the proposed recovery, as mentioned in show cause notice dated 02.08.2016 (AnnexureP/2), is contrary to the settled principle of law.

Learned counsel for respondents very fairly states that in case

petitioner chooses to file reply to the show cause notice issued by respondent-State Bank of Patiala (now State Bank of India), the same will be considered and an appropriate order will be passed on the said show cause notice in accordance with law after taking into consideration the averments/objections taken by the petitioner in the reply.

Petitioner is directed to file reply to the said show cause notice within a period of four weeks from today after which the respondents-Bank will pass an appropriate speaking order in view of the circumstances of the present case coupled with settled principle of law.

Learned counsel for the petitioner states that keeping in view the statement made by the learned counsel for the respondent-Bank, he does not wish to press the present writ petition any further and prays that a liberty be granted to the petitioner to avail her remedy in case order passed by the respondents causes any prejudice to the petitioner.

Disposed of as not pressed.

(HARSIMRAN SINGH SETHI)
JUDGE

03.12.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |