

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-22064-2015 (O&M)

Date of Decision:-06.02.2019.

Santosh Gupta

.....Petitioner

Versus

State Bank of Patiala and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sanjiv Gupta, Advocate for the petitioner.

Mr. H.N. Mehtani, Advocate for the respondents-Bank.

Mr. I.S. Ratta, Advocate for the applicant in
CM-4233-CWP-2018.

ARUN MONGA, J. (Oral)

The present writ petition has been filed *inter alia* for issuance of a writ in the nature of *mandamus* to direct the respondent-State Bank of India (SBI) to release the title deeds of the petitioner in view of the contention of the petitioner that the entire loan amount has already been paid.

2.) Without going into the controversy on merits, in view of the affidavit dated 04.02.2019 filed by the Chief Manager of the SBI, wherein it has been stated that the No Dues Certificate has been issued in view of the one-time settlement arrived between the parties. Accordingly, it is a conceded position that nothing is outstanding to the respondent-Bank against the loan granted qua the mortgage of the properties, of which the

title deeds were retained by the Bank. The said title deeds are to be released to the petitioner/successor-in-interest and the only dispute is with regard to the identity of the successors. In this view of the matter, the writ petition is disposed of with a direction to the State Bank of India to release the title deeds of the properties in question from their custody and deposit the same before Debts Recovery Tribunal-III, wherein, the recovery proceedings are going on vide case bearing ***RC No.2134/17*** titled as ***State Bank of India Vs. M/s Bee Gee Corporation Private Limited.*** The parties will be at liberty to approach the Debts Recovery Tribunal to seek release of the title deeds as per their entitlement, in accordance with law.

- 3.) With the above observations, the present writ petition is disposed of.
- 4.) In view of the disposal of the main writ petition, all the pending applications are also disposed of as infructuous.

(ARUN MONGA)
JUDGE

February 06, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.