

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20833-2019

Date of Decision: 21.08.2019

Bhagwant Goyal

..... Petitioner

Vs.

Union of India and others

..... Respondents

**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE ARUN KUMAR TYAGI**

Present: - Mr.Anurag Chopra, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

There are two prayers made in this petition, which are reproduced as under: -

- (i) *Issue a writ, order or direction especially a writ in the nature of mandamus for directing the respondent No.2 to evaluate the TransUnion CIBIL Credit Score of the petitioner according to the correct ownership and loans availed by the petitioner and not to consider the default committed by respondent No.3 to 5 in the loan vailed at HDFC Bank whereby the petitioner has been fraudulently made a co-borrower and the petitioner is illegally and arbitrarily being burdened for the loan and its default.*

(ii) *Issue a writ, order or direction especially a writ in the nature of Mandamus directing the respondent No.2 to adjudicate upon the representation dated 12.7.2019 (Annexure P/12) submitted by the petitioner to the respondent No.2 whereby the petitioner has enumerated the series of events seeking the respondent No.2 to take an action against the illegal and incorrect credit score evaluation by TransUnion CIBIL.”*

Insofar as the prayer No.(ii) is concerned, learned counsel for the petitioner has conceded that the representation has been decided, therefore, this prayer has become infructuous.

Insofar as the prayer No.(i) is concerned that the petitioner has allegedly committed fraud, the same cannot be decided in the writ jurisdiction as it requires oral as well as documentary evidence to prove the same, therefore, the writ petition is not maintainable. However, the petitioner may file a civil suit, if so advised.

Disposed of.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

21.08.2019

Vivek

Whether speaking /reasoned : *Yes/No*

Whether Reportable : *Yes/No*