

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

124

**CWP No.26911 of 2019
Date of Decision: 04.10.2019**

Sube Singh

.....Petitioner

Versus

Prescribed Authority under the Haryana Agricultural Credit Operation
and Misc. Provisions (Banks) Act, 1973 and another

.....Respondents

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

Present : Mr. R.N. Lohan, Advocate for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner has challenged the award of the Prescribed Authority passed under Section 8 (1) of the Haryana Agricultural Credit Operations and Miscellaneous Provisions (Banks) Act, 1973 by which the petitioner has been held liable to pay an amount of ₹8,54,697/- of Kisan Credit Card and term loan along with agreed rate of interest from 01.04.2018 onwards.

The only argument raised by counsel for the petitioner is that the proceedings initiated before the Prescribed Authority by the respondent Bank was barred by limitation as according to him recovery could have been effected within a period of three years from the date when it became due. On the other hand, he has not denied that the loan has been secured after mortgaging the immovable property i.e. agricultural land etc.

After hearing counsel for the petitioner and taking into consideration the aforesaid facts and circumstances, we are of the considered opinion that in case where the loan is secured after

mortgaging the immovable property, Section 62 of the Limitation Act, 1963 would apply as per which the limitation would be twelve years to be counted from the date when money sued for becomes due.

Counsel for the petitioner has not raised any further arguments and, therefore, we do not find any merit in the present petition to set aside the impugned order dated 14.06.2019 on the ground that the proceedings initiated by the respondent Bank were barred on the ground that the recovery could not have been effected after three years. The writ petition is, thus, dismissed though without order as to costs.

(RAKESH KUMAR JAIN)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

04.10.2019
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No