

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

CWP No. 34873 of 2019

Date of Decision: 02.03.2020.

ICICI Bank, New Delhi and another

.....Petitioners

Versus

State of Haryana and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Sandeep Suri, Advocate
for the petitioners.

Ms. Tanisha Peshawaria, DAG Haryana.

AJAY TEWARI, J.(Oral)

1. By this petition, the petitioner has challenged the interception, detention and confiscation of a vehicle which as per the petitioner had been taken possession of by the Court appointed receiver and was being transported to the godown of the bank.

2. On the other hand, the stand of the respondent is that both at the time when the vehicle was detained and subsequently also no documents evidencing this fact was produced.

3. Today learned counsel for the petitioner first argued that the documents must have been produced but later on realizing that there is even no such averment in the petition he has stated that the petitioner would now file a statutory appeal but in the peculiar circumstances of the present case, the respondent be directed to decide the appeal on merits instead of dismissing the same on limitation.

4. We find this a fair request.

5. In the circumstance, the petition is dismissed as not maintainable with the clarification that if the petitioner now files a statutory appeal within a period of one week from today, the respondent shall decide the same on merits without taking the objection of limitation.

(AJAY TEWARI)
JUDGE

(AVNEESH JHINGAN)
JUDGE

02.03.2020
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Whether speaking/reasoned:	Yes
Whether Reportable:	No