

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

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IN VIRTUAL COURT

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**CWP No. 5035 of 2021
Date of decision : 3.3.2021**

Daljit Raheja

.....Petitioner

Vs.

CSB Bank (formerly known as Catholic Syrian Bank) and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Vikas Chatrath, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus, directing the respondents to convey the order vide which name of petitioner has been uploaded on 'Third Party Entitles Caution List of IBA', consequent of which large number of banks have stopped allotting any work to the bank. Further prayer of the petitioner is for issuance of a writ in the nature of certiorari for quashing the above said order being in violation of well settled principles of natural justice and law laid down in '**State of Orissa v. Dr. (Mrs.) Bina Pani**, AIR 1967 SC 1269' and '**Chamoli District Cooperative Bank Ltd. v. Raghunath Singh Rana**, 2016 (12) SCC 204', including the procedural guidelines issued by the Indian Bank Associations.

A perusal of the petition shows that the same involves disputed questions of fact alleged by the respondent No.1 qua the conduct of the petitioner. The determination of those facts would require evidence to be led

by the respective parties. Therefore, the issue involved in the present petition can be better determined by a civil Court; by granting opportunity to lead evidence; to both the sides. Moreover, the basic prayer in the petition is for a direction to communicate the order passed by the respondent bank. This Court is hardly meant for seeking directions to this effect. Hence, this Court does not find this to be a fit case to interfere and to pass any order qua the claim of the petitioner, while keeping the issue raised by the petitioner open to be determined by the civil Court.

In view of the above, the present petition is dismissed.

However, the petitioner would be at liberty to raise his grievance before a competent civil Court or to avail any other remedy available to the petitioner, but in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

3.3.2021
Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No