

CWP No.9829 of 2021

Date of Decision: 28.09.2021

.... Petitioner

Versus

The Deputy Commissioner, Pathankot

and others

... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Vimla Kumar Gupta, Advocate

Mr. Vikas Mohan Gupta, Addl. A.G.Punjab.

Mr. R.S.Minhas, Advocate

for respondents No.4 to 6.

JASWANT SINGH, J.

The UCO Bank/secured creditor has sought quashing of the letter dated 24.03.2021 (Annexure P-15) and Jamabandi (Annexure P-16), whereby the mutation of an equitable mortgage of the subject property in favour of the bank was sought to be refused by respondent No.2-Tehsildar, Pathankot on the ground of a pending FIR No.0007 dated 03.02.2021.

It emerges that the aforesaid FIR was filed by the defaulting borrowers i.e. respondents No.5 and 6 against the bank officials for having committed forgery in the memorandum of handing over the title deeds towards execution of equitable mortgage. However, to a pointed query, Mr. R.S.Minhas, Advocate appearing for respondents No.4 to 6 does not dispute that title deeds of the aforesaid property are factually in custody of the bank since the time of availing of the loan facility.

Be that as it may, learned counsel for the petitioner-bank states that the present writ petition has become infructuous in the light of the necessary mutation having been entered in the revenue records.

Accordingly, the present petition is disposed of as having been rendered infructuous.

**(JASWANT SINGH)
JUDGE**

**(SANT PARKASH)
JUDGE**

28.09.2021
Maninder

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