

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

**CWP No. 13226 of 2020 (O&M)
Date of Decision: 21.01.2021**

Barscan Technologies
through prop. Miki Mann

.... Petitioner

Versus

Bank of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr. Pavan Malik, Advocate
for the petitioner.

Mr. K.P.S.Dhillon, Advocate
for respondent No. 1.

Mr. Deepak Suri, Advocate
for respondents No. 2 and 3.

SANT PARKASH, J. (ORAL)

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No. 1-Bank to reverse all debit entries of interest, loan renewal, processing and inspection charges in the loan account subsequent to 18.09.2019, the date when the petitioner tendered the payment of the entire dues and to release the title deeds of the mortgaged property and to issue No Dues Certificate simultaneously on receipt of such dues of the loan account No. 670130100010094; issuance of a writ of certiorari quashing the impugned order dated 18.06.2020 (Annexure P-9); issuance of interim orders restraining respondent No. 1-Bank from classifying the account of

the petitioner as NPA till the decision of the present writ petition; issuance of further interim direction for staying the operation of Circular dated 06.08.2020 (Annexure P-11) qua the petitioner till the decision of the present writ petition and issuance of further interim order permitting the petitioner to deposit the dues of the loan account No. 670130100010094 under protest with the respondent No. 1-Bank to be kept in No-lien account subject to final decision of the writ petition.

On the last date of hearing, the following order was passed by this Court:-

“In sum and substance, the sole prayer in the present petition is for release of title deeds of the secured asset as the petitioner/borrower was ready and willing to deposit the entire outstanding amount in one go. Upon reluctance of the Bank to accept such prayer, the petitioner was constrained to file this petition.

Upon notice and taking the dates for filing reply, the stand of the respondent-Bank as per memo dated 30.12.2020 now is that the Bank is willing to release the title deeds in case the outstanding amount of Rs. 10 lacs approximately due as on today inclusive of interest, is deposited.

In response, learned counsel for the petitioner submits that his client would deposit the entire amount with equitable relief of waiving off the interest component since the time of initial offer of settling the account.

Learned counsel for the Bank prays for a week's time to seek instructions.

List on 21.01.2021.”

Today, at the very outset, learned counsel for the petitioner submitted that the instant writ petition has become infructuous as pursuant

to the aforesaid order passed by this Court, respondent No. 1-Bank has closed the loan account of the petitioner after receiving all outstanding dues from the petitioner and has also issued No Dues Certificate in this regard.

Therefore, the dispute having been settled between the parties, the present writ petition is disposed of as having been rendered infructuous.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

21.01.2021
Maninder

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