

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.18366 of 2021 (O&M)

Date of Decision:06.10.2021

Gurwinder Singh

.....Petitioner

Versus

Reserve Bank of India and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Karan Bhardwaj, Advocate
for the petitioner.

None for respondents no.1 and 2.

Mr. Ravi Chadda, Advocate
for respondent no. 4.

LISA GILL, J(Oral).

Though matters were being taken up through physical hearing mode today, this matter has been taken up through video conferencing on specific request of learned counsel and in terms of circular dated 14.09.2021.

Petitioner is aggrieved of the action of respondents no.3 and 4 in recovering his vehicle bearing registration no. PB-02-BV-7837, allegedly in a forcible manner.

It is submitted that the petitioner had financed his vehicle from respondent 4 and had been regularly depositing the installments as falling due, but due to unavoidable circumstances, an amount of Rs.1,64,040/- became overdue. It is further alleged that the petitioner's vehicle i.e., truck bearing registration no. PB-02-BV-7837, was forcibly recovered in an illegal manner on 09.04.2021.

While issuing notice of motion, undertaking of the petitioner was recorded that he is ready and willing to deposit the entire amount due,

provided possession of the vehicle is restored.

Learned counsel for respondent no.4, while disputing that possession of the vehicle in question was taken illegally, submits that in case the amount of Rs.1,64,040/- is deposited by the petitioner, possession of the vehicle shall be restored immediately.

It is agreed between the petitioner and respondent no.4 that the petitioner shall deposit a sum of Rs.1,64,040/- within one week from today and possession of the vehicle in question shall be restored immediately thereafter. Petitioner further undertakes to regularly deposit the installments as they fall due. Possession of the vehicle thereafter shall not be taken *dehors* the specific terms and conditions of the agreement between the parties.

Keeping in view the facts and circumstances as above and the consensus arrived at between the petitioner and respondent no.4, no further orders are called for in this writ petition.

Writ petition is accordingly disposed of.

06.10.2021
s.khan

[LISA GILL]
Judge

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