

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201 - CWP-18164-2020 (O&M)

Date of Decision: 22.02.2021

Novjot Singh

... Petitioner

VS.

State of Punjab & Ors.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Karan Bhardwaj, Advocate for the petitioner

Ms. Anju Arora, Addl. AG Punjab

Mr. Nitin Thatai, Advocate for respondent No.6 & 7

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

The petitioner has filed the present writ petition *inter alia* with a prayer directing respondents No.1 to 5 to take appropriate legal action against respondent No.6&7 who forcibly recovered the truck/vehicle of the petitioner.

Record shows that notice of motion was issued on 30.10.2020 in this case and it was directed that in case the petitioner deposits an amount of Rs.50,000/-within 15 days, respondents No.6 & 7 shall release the vehicle of the petitioner subject to final outcome of the writ petition.

Today on the resumed hearing of the case, Mr. Nitin Thatai, Advocate appearing on behalf of respondent No.6 & 7 submits that considering the controversy involved in the present writ petition, detailed reply may not be required. He further submits that he is ready to make a statement that in case the petitioner makes pre-payments/outstanding payments or any further payments that he further wishes to make so as to

regularize his account, he would instruct the respondents to accept the said payments and would regularize the account if the payments are made in accordance with law.

At this stage, learned counsel for the petitioner prays for 3 months' time to clear the outstanding. However, this Court in the peculiar facts and circumstances noticed above, deems it appropriate to dispose of the writ petition with the following directions:-

- (i) the petitioner would continue paying monthly instalments by 5th of every month to the tune of approx. Rs.33,000/-. At this stage, it is not disputed between the parties that previous 3 instalments have been paid which further shows their *bona fide*.
- (ii) the petitioner, in coming 3 months, would regularly pay the instalments. However, in addition to the instalments, the petitioner would pay 1/3rd of the outstanding amount within 45 days from the date of receipt of certified copy of this order and remaining 2/3rd within 90 days of the receipt of certified copy of this order.
- (iii) in case the aforementioned payments are not made, the protection granted by this Court would cease.
- (iv) till the expiry of 90 days as aforesaid, or till 31st May, 2021, whichever is earlier, coercive steps/recovery of vehicle, if any, shall remain stayed.

With these directions, the writ petition stands disposed of.

22.02.2021

vishal shonkar

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No