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

**CWP No.19092 of 2018
Date of Decision: 17.05.2022**

HARBANS SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:None for the petitioner.

Mr. C.L. Pawar, Sr. D.A.G., Punjab.

Mr. Naveen Sharma, Advocate
for respondent No.5.

RAJ MOHAN SINGH, J.(Oral)

Present petitioner has been filed for the issuance of a writ in the nature of mandamus directing respondents No.1 to 4 to take appropriate action against respondent No.5 in the context of its endeavour to repossess the vehicle forcibly.

Petitioner has approached this Court on the premise that he has a threat perception that respondent No.5 may repossess the vehicle forcibly on account of non-payment of installments.

Petitioner has taken a vehicle on hire-purchase basis from respondent No.5 and has committed default in making

payments of its installments.

Notice of motion was issued on the premise that the petitioner would pay an amount of Rs.1 lakh to respondent No.5 within a period of two weeks. Notice of motion was issued to respondent No.5 only.

Perusal of the record would show that after issuance of notice of motion, the case was adjourned on number of occasions.

On 13.03.2020, following order was passed by the Co-ordinate Bench of this Court:-

“Learned counsel for respondent no.5 submits that even the sum of Rs.1,00,000/- as observed in order dated 02.08.2018 has not been deposited by the petitioner, who was in arrears of a sum of Rs.4,25,000/- on the said date.

Reply on behalf of respondents no.1 to 4, filed in Court today, is taken on record, subject to just exception. Copy of the same be supplied to learned counsel for the petitioner, during the course of the day.

There is a written request for adjournment on behalf of learned counsel for the petitioner.

In the interest of justice, adjourned to 01.05.2020.

(LISA GILL)
JUDGE

13.03.2020
Sunil”

Evidently, none had appeared on behalf of the petitioner on 13.03.2020. According to learned counsel for respondent No.5, the amount of Rs.1 lakh has not been

deposited by the petitioner in compliance of order dated 02.08.2018. In the year 2018, petitioner was in arrears of a sum of Rs.4,25,000/-. Now the amount has escalated even more than that.

There is no representation on behalf of the petitioner. On 02.08.2018, petitioner undertook to pay an amount of Rs.1 lakh to respondent No.5 within a period of two weeks. It appears that petitioner is not interested in honouring the commitment made by him as well as by not pursuing this case.

Dismissed for non-prosecution.

May 17, 2022

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No