

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

CRM-M-5505-2023

Date of Decision: 02.02.2023

Rachhpal Singh

..... Petitioner

Versus

The Fazilka Central Co-op Bank Limited

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Kamal Narula, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed for quashing impugned order dated 28.10.2022, passed by the learned Appellate Court in CRA No.273/2022 dated 28.10.2022, under Section 138 of the Negotiable Instruments Act, titled as Rachhpal Singh vs. FCC Bank, vide which the petitioner was directed to deposit 20% of fine/compensation amount awarded by the learned trial Court.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to raise his grievance before the Appellate Court, where the appeal is pending. He has submitted that the petitioner is ready to pay 20% interim compensation as directed by the Appellate Court, however, as the statutory period for paying the compensation is already over and the petitioner is not in a position to pay the same.

Allowed to do so.

Dismissed as withdrawn with liberty as prayed for. However, the learned Appellate Court is requested to consider the grievance raised by the petitioner for compliance of the order sympathetically.

**(RAJESH BHARDWAJ)
JUDGE**

02.02.2023
sharmila

Whether Speaking/Reasoned
Whether Reportable

:Yes/No
:Yes/No