

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

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CWP-4463-2023 (O&M).

Date of Decision: 14.07.2023.

Indervesh Goyat and another

.. Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Rajeev Kumar, Advocate, for
Ms. Sonia G. Singh, Advocate,
for the petitioners.

Mr. Vivek Chauhan, Addl.A.G. Haryana,
for respondents No.1 to 3.

Mr. Nitin Thatai, Advocate,
for respondents No.4 to 6.

VINOD S. BHARDWAJ, J. (ORAL)

The instant petition has been preferred by the petitioners seeking issuance of directions to respondents No.4 to 6 to release the JCB Vehicle of the petitioners which had been retained in violation of the order dated 11.01.2023 passed by the District Judge, Rohtak.

Vide order dated 03.03.2023, the petitioner was directed to approach the respondents and/or Receiver so appointed and on furnishing the entire outstanding installments along with the overdue interest and applicable statutory charges, the vehicle in question was ordered to be released in favour of the petitioners.

Learned counsel for respondents No.4 to 6 submits that in compliance to the same, the petitioners have appeared before the Receiver and deposited the entire outstanding installments along with the overdue

interest and applicable statutory charges and the JCB in question has been released in favour of the petitioners as such, the present writ petition has been rendered infructuous. He, however, contends that the petitioners are in default qua other loan agreements and that there is a clear stipulation that in the event of multiple loan transactions, a default qua any such loan transactions, empowers the Finance Company to take possession of the other vehicles as well.

The said aspect is not the subject matter of dispute before this Court nor is being adjudicated upon. The inter se rights of the parties would be governed by the contractual arrangements between the parties. The dispute involved in the present petition having been settled and the vehicle in question having been released in favour of the petitioners which such statement made today at Bar being not disputed by the learned counsel for the petitioners, the present writ petition is disposed of as having been rendered infructuous.

July 14, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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