

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

120

2023:PHHC:050318-DB

CWP No. 4643 of 2023
Date of Decision: 12.04.2023

Rajwanti

.....Petitioner(s)

Versus

Authorized Officer, Bank of Baroda and another

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. P.S. Sobti, Advocate,
for the petitioner.

Mr. C.S. Pasricha, Advocate,
and Satinder Pal Singh, Advocate,
for the respondent-bank.

G.S.SANDHAWALIA, J. (Oral)

1. On 10.03.2023, the following order was passed:-

“Learned counsel for the petitioner has filed an affidavit of the petitioner dated 10.03.2023, where it has been stated as follows:-

“1. That in terms of the directions given by this Hon’ble Court on 09.03.2023, the deponent is ready to settle the loan account of the respondent No.1 Bank availed by husband of the petitioner, who is since deceased.

2. That the respondent No.1 Bank filed O.A. No.1415/2021 for issue of Recovery certificate for recovery of Rs.26,84,075.49p including interest up to 03.08.2021 with future interest at the rate of 9.65.% per annum with monthly rest as per certificate under Banker’s Book Evidence Act attached with the Writ Petition as Annexure P-8.

3. That deponent undertake to pay the above mentioned amount of Rs.26,84,075.49p along with the interest at the rate of 9.65% per annum from the date of filing the O.A. within a period of 06 months with monthly installments after appropriating the amount paid by the late husband of the petitioner after filing of the O.A. as per annexure P-4.

4. That deponent undertake to deposit a sum of Rs.7,00,000/- on or before 31.03.2023 and will further pay a sum of Rs.5,00,000/- P.M. commencing from April to August 2023 by 20th day of each month. “

Copy of the said affidavit has been handed-over to the learned counsel for the respondent – Bank.

Counsel for the petitioner submits that by 13th of March, 2023, an amount of Rs.7,00,000/- (seven lakh only) will be paid to the respondent – Bank and the remaining amount would be paid as per the schedule mentioned in the affidavit of the petitioner. To test the bona fides of the petitioner, hearing of the case is deferred to 28.03.2023. In case the petitioner deposits an amount of Rs.7,00,000/- (seven lakh only) by 13th of March, 2023, status quo with regard to possession as it exists today shall be maintained till the next date of hearing.

2. Mr. Pasricha concedes that the order dated 10.03.2023 has been complied with and a sum of Rs.7,00,000/- has been deposited.
3. Keeping in view the above, counsel for the petitioner submits that the petitioner will adhere to the terms of the affidavit already filed and, therefore, the writ petition may be disposed of in the above said terms.

4. Ordered accordingly. In case there is any default as such of the terms of the undertaking, it will be open to the bank to take recourse in accordance with law.

(G.S. SANDHAWALIA)
JUDGE

12.04.2023
shivani

(HARPREET KAUR JEEWAN)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	No