

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CWP-7104-2022

Date of Decision: 08.08.2023

M/S CHOLAMANDALAM INVESTMENTS AND
FINANCE COMPANY LIMITED

... Petitioner

VERSUS

STATE OF HARYANA AND ORS.

....Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Harsh Chopra, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

LISA GILL, J.(Oral)

1. Petitioner has filed this writ petition seeking a direction to respondent-bank to defreeze bank account No.912030036840088 held by respondent No.3 so as to enable the petitioner to seek refund of loan amount which was statedly transferred incorrectly by the petitioner into the said account.

2. Learned counsel for the State submits that in view of communication dated 10.04.2023 from Excise & Taxation Officer, Ward-1, Hisar to the Bank Manager, AXIS Bank, SCO No.177, Commercial Urban Estate No.1, Hisar, present writ petition is rendered infructuous. The Bank, it is stated has been asked to defreeze the aforesaid bank account of M/s Bimla Automobile, Delhi Road, Charkhi Dadri, Haryana-respondent No.3. Copy of the communication dated 10.04.2023 is taken on record as annexure R-1.

3. Learned counsel for the petitioner however submits that he does not have any instructions in this regard.

4. Be that as it may, we do not find any justification for continuance of the proceedings as learned counsel for the petitioner submits that limited prayer is for defreezing the bank account No. 912030036840088 in present writ petition without pressing the prayer for a direction to the respondents to refund the amount incorrectly credited into account No.912030036840088 at AXIS Bank.

5. Accordingly, this writ petition is disposed of as infructuous with liberty to the petitioner to file appropriate application within four weeks from today in case any incorrect fact is put forth before us. Needless to say petitioner is at liberty to avail its remedy in accordance with law in respect to the second prayer addressed.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

08.08.2023

Rimpal

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