

225 CM-19669-CWP-2022 in/and
CWP-6872-2019 (O&M) &
CWP-18738-2017 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-19669-CWP-2022 in/and
CWP-6872-2019 (O&M)
Date of Decision: 28.02.2023

M/s Shiv Shankar Rice Mills, Village Dharamgarh Mandoli, Road,
Tehsil Rajpura, District Patiala.

.....Petitioner

Vs.

Punjab and Sind Bank, Patiala, and others

.....Respondents

225-1 CWP-18738-2017 (O&M)

M/s Shiv Shankar Rice Mills, Village Dharamgarh Mandoli, Road,
Tehsil Rajpura, District Patiala and others

.....Petitioners

Vs.

Punjab and Sind Bank, The Mall, Patiala through its Assistant
General Manager

....Respondent

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

Present: Mr. Daman Dhir, Advocate,
for the petitioners (in both cases)

Mr. Adarshpal Kaur, Advocate,
for respondents No. 1 to 3 (in CWP-6872-2019) and
for the respondent (in CWP-18738-2017).

Mr. Harmanjot Singh, Advocate, for
Mr. J.S. Mundi, Advocate,
for respondent No. 4 (in CWP-6872-2019).

G.S.SANDHAWALIA, J. (ORAL)

CM-19669-CWP-2000 in CWP-6872-2019

Counsel for the writ petitioners has filed an application for

placing on record the letters dated 05.12.2022 and 07.12.2022 as Annexures A-1 to A-3 and contended that there is a One time Settlement (OTS) with the respondent-bank. The settlement proposal shows that the OTS was settled at ₹69,00,000/- which is ₹64,60,000/- for M/s Shiv Shankar Rice Mills and ₹4,40,000/- for M/s Gian Chand & Sons. Out of the said amount, application money of ₹7,00,000/- was to be deposited immediately.

Counsel for the petitioners has placed on record a communication dated 28.02.2023 to show that the OTS extension is till 31.03.2023. The total amounts deposited between 05.12.2022 to 28.02.2023 is stated to be ₹35,35,000/-. As per the said communication, which is taken on record as Annexure P-24 with the accompanying petition, the balance amount is to be deposited by 31.03.2023.

Counsel further submits that the balance amount will be deposited within the time framed as per the OTS.

Mr. Adarshpal Kaur, learned counsel for respondents No. 1 to 3 (in CWP-6872-2019) and for the respondent (in CWP-6872-2019), has confirmed the sanctioning of the OTS and deposit of ₹35,35,000/-.

Accordingly, the writ petitions are disposed of, in view of the settlement *inter se* between the parties.

Since the amount has also been deposited by the auction purchaser, the amount be also refunded by the Bank to the auction purchaser whose money is also lying blocked during the pendency of this litigation, after the compliance is made of the OTS to the extent of the

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balance to be deposited by 31.03.2023.

Pending miscellaneous application (s), if any, also stand
disposed of.

(G.S. SANDHAWALIA)
JUDGE

February 28, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No