

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

230/2

**2023:PHHC:139595
CWP-16932-2023 (O&M).
Date of Decision: 13.10.2023.**

KULDEEP SINGH

..Petitioner

VERSUS

RESERVE BANK OF INDIA AND OTHERS

.. Respondents

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

PRESENT Mr. Karan Bhardwaj, Advocate, for the petitioner.

Mr. Raghav Garg, Advocate, for
Mr. Sandeep Suri, Advocate, for respondents No.3 and 4/Tata
Motors Finance Solutions Limited.

VINOD S. BHARDWAJ, J.

Prayer made in the present writ petition is for seeking issuance of directions to official respondents No.1 and 2 to take appropriate legal action against respondents No.3 and 4 who allegedly are attempting to take forcible possession of the vehicle bearing registration No.PB-19-M-1472 with the help of recovery agents.

As per the averments made in the writ petition, the petitioner got financed the aforesaid vehicle by taking total loan of Rs.18,51,024/- from respondents No.3 and 4. The same was to be repaid in 48 monthly installments commencing w.e.f. 15.08.2022 to 15.07.2026. The allegation levelled is that the agents of respondents No.3 and 4 attempted to recover the vehicle on 10.07.2023. The possession of the vehicle has not been taken.

Invariably, the present writ petition is pre-emptory as there is no cause of action. There is no reason for this Court to assume that the respondents shall act in violation of law. The petition is based on apprehension and is thus liable to be disposed of as pre-mature. Moreover, this Court in similar matters addressing identical facts in CWP-7706-2022

titled as “Amarjeet Singh Brar Vs The Reserve Bank of India and others,” decided on 04.10.2023 with other connected cases has already passed comprehensive judgment and therefore, in light of the precedent set by this Court, the present petition is disposed of in terms of CWP-7706-2022 (supra).

Ordered accordingly.

October 13, 2023.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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