Neutral Citation No. 2023:PHHC:133860-DB

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1/1) **CM-4754-CI-2023 in/and**
RA-RF-267-2023 in RFA-COM-22-2018
Decided on : 13.10.2023

Oriental Bank of Commerce (Now Punjab National Bank)
……Applicant-review/appellant

Versus

Malyan Banking BHD ……Respondent(s)

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKRAM AGGARWAL

Present: Mr.Harsh Garg, Advocate for the applicant-review/appellant.

Mr.Devmani Bansal, Advocate, for the respondent.

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G.S. Sandhawalia, J. (Oral)

The present review application has been filed for reviewing the order dated 01.09.2023 whereby this Court had directed the applicant-appellant to release the amount deposited by way of FDR to the account of the respondent.

2. The ground taken is that in a connected matter, i.e., RFA-COM-25-2018 the stay order was passed on 25.09.2023 in the SLP filed. We have already dismissed similar application today on the ground that the matter is already before the Apex Court in that case. Herein, it has been mentioned that two SLPs bearing Diary No.25940/2023 and No.25969/2023 have been filed challenging the main order dated 22.02.2023. The order dated 01.09.2023 is self-speaking and only directions have been given to pay the amount since on an earlier occasion, amounts had been deposited by way of FDRs during the pendency of the appeal which has been dismissed.

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I attest to the accuracy and
authenticity of this order/judgment
Chandigarh

3. In such circumstances, it is open to the appellant to avail his remedy in appeal which he has already preferred and the present review application is not maintainable merely on account of the fact that in one of the appeals, stay has been granted.

Accordingly, in view of the above, the present review application stands dismissed.

(G.S. SANDHAWALIA)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

13.10.2023
Sailesh

Whether speaking/reasoned :	Yes	
Whether Reportable :		No

SAILESH RANJAN
2023.10.16 10:27
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authenticity of this order/judgment
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