

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

111

2023:PHHC:065797-DB

CWP-30057-2022

Date of Decision: 08.05.2023

Sita Rani

.....Petitioner(s)

Versus

ICICI Home Finance Ltd.

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. G.S. Jagpal, Advocate,
for the petitioner.

Mr. Karan Gaba, Advocate,
for Mr. Sandeep Suri, Advocate,
for the respondent.

G.S.SANDHAWALIA, J. (Oral)

1. Counsel for the petitioner submits that the matter has been settled since the dispute arises against the loan which had been taken in the form of a housing loan. On 06.02.2023, demand draft of Rs.2,00,000/- was ordered to be produced in favour of the financial institution and on 20.02.2023, the following order was passed:-

“Order dated 06.02.2023 passed by this Court has not been complied with inasmuch as the demand draft of Rs.2 lakhs in favour of ICICI Home Finance Ltd. has not been furnished.

Counsel for the petitioner seeks a date on the premise that certain talks of a settlement are under way.

List on 27.03.2023.

It is however made clear that pendency of the instant writ petition would not be seen as an impediment for the creditor to proceed further in accordance with law.”

2. Thereafter on 27.03.2023, the following order was passed:-

“A perusal of the account statement shows that an amount of Rs.2,92,536/- is due as per notice dated 17.06.2022 (Annexure P-5).

Counsel for the petitioner submits that some settlement is arrived at Rs.1,85,000/-.

Counsel for the respondent submits that array of parties is not correct. ICICI Home Finance is mentioned whereas ICICI Bank is to be mentioned.

Liberty is granted to the counsel for the petitioner to file correct Memo of Parties.

Adjourned to 24.04.2023.”

3. The draft was still not readily available on 24.04.2023 and last opportunity was granted to furnish the demand draft. Today, counsel for the petitioner submits that the matter has been resolved with the respondent-financial institution and, therefore, does not press the present petition.

4. Accordingly, the matter stands disposed of as infructuous on the statement of the counsel for the petitioner that the dispute has been settled.

(G.S. SANDHAWALIA)
JUDGE

08.05.2023
shivani

(GURBIR SINGH)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No