

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

122

CWP-2413-2024
Date of Decision: 05.02.2024

SATNAM SINGH

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Mr. Deepak Arora, Advocate
for the petitioner.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has approached this Court anticipating coercive steps at the behest of respondent-Finance Company in taking forcible possession of the vehicle bearing registration No.PB65-AZ-1843 Make Maruti Suzuki Dzire.

Learned counsel for the petitioner contends that he has already repaid all pending installments. However, on account of certain delay due to COVID-19 losses, the pending installments of about 5½ months shall also be cleared by the petitioner positively within a period of two months. He anticipates that notwithstanding the abovesaid assurance, the respondent-Finance Company is likely to forcibly take possession of the vehicle in question.

Learned counsel for the petitioner, however, does not dispute that the present petition is premature and based upon apprehensions and anticipations.

This Court has no reasons to conclude that notwithstanding the petitioner being desirous of repaying the amount within a period of two months, as stated by him today before this Court, the respondent-Finance Company would nonetheless make attempts to take forcible possession of the vehicle in question.

Under ordinary circumstances, a Finance Company on being approached about repayment, is likely to take more considerate opinion. Even otherwise, the petitioner has his remedies available as and when an appropriate cause of action arises.

The present petition is accordingly disposed of being premature at this stage.

The petitioner is, however, at liberty to make such representation before the Finance Company for rescheduling his loan.

FEBRUARY 05, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

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