

112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15644-2023 (O&M)
Date of Decision: January 18, 2024

DILIP KUMAR BISWAS AND ANOTHER Petitioners

Versus

CANARA BANK AND ANOTHER Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Ashok Bhardwaj, Advocate for the petitioners.

Mr. Gaurav Goel, Advocate for the respondent - Bank.

LISA GILL, J.

1. Petitioners in this writ petition are aggrieved of unilateral increase in EMI of loan facility availed of by the petitioners in the year 2006.

2. Learned counsel for respondent – Bank submits that petitioners' account had earlier been declared Non Performing Asset (NPA) in the year 2009 and 2017 as well. Account had been irregular and tenure of loan shall come to an end in the year 2026. EMIs were rescheduled in such a manner that petitioners would be able to discharge their liabilities within scheduled period and that petitioners are now regularly depositing the said EMIs as of now.

3. Learned counsel for petitioners, however, argues that there could not have been unilateral change of EMIs without any notice to petitioners and this action is illegal and arbitrary.

4. Be that as it may, in the given factual matrix, we do not find it expedient to enter adjudication in respect to grievance(s) raised by petitioners

in this writ petition qua deficient services on the part of respondent – Bank and allegations of extra amount being charged among others. Petitioner are at liberty to avail remedy(ies) available to them in accordance with law in this writ petition for redressal of their grievance(s).

5. Writ petition is, accordingly, disposed of with liberty as aforementioned.

6. It is clarified that there is no expression of opinion on merits of the matter.

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

(LISA GILL)
JUDGE

January 18, 2024

rts

(AMARJOT BHATTI)
JUDGE

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