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

CWP-22523-2024

Date of Decision: 06.09.2024

RAMESH KUMAR AND ANOTHER

.....PETITIONERS

VERSUS

BANK OF MAHARASHTRA AND OTHERS

....RESPONDENTS

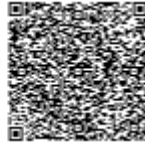
**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI**

Present: Mr. Hardik Ahluwalia, Advocate
for the petitioners.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners have sought the quashing of E-auction letter/notice dated 29.07.2024 (Annexure P-3).

2. Learned counsel for the petitioners submits that the petitioners had taken a home loan for a sum of Rs.11,15,000/- on 01.11.2016. Petitioners had secured their sole residential house measuring 2.9 marlas. The petitioners had been regularly paying the amount till they ran into financial difficulty. The petitioners had paid a total amount of Rs.9,10,172/-. He further submits that the petitioners are willing to pay the amount towards the default in installments and in the event of their account being regularized, they would continue to pay the installments regularly henceforth. He also submits that the petitioners have

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brought a demand draft for a sum of Rs.1,70,000/- and shall deposit the same today itself.

3. Issue notice to the respondents.

4. Mr. J.S, Bagga, Advocate put in appearance on behalf of the respondent-Bank (Through Video Conferencing).

5. In response to the query raised by this Court as to what is the total amount of default in the installments, learned counsel for the respondent-Bank upon instructions from Rohit Sharma, Bank Official submits that the default in repayment of installments approximately amounts to Rs.4,50,000/- and in the event of the petitioners paying the same within a period of 60 days, their account would be regularized provided the petitioners give an undertaking to pay the future installments regularly.

6. After hearing learned counsel for the parties, we are of the considered opinion that the stand of the respondent-Bank is just and reasonable. The petitioners had availed a home loan for a sum of Rs.11,15,000/- and repaid an amount of Rs.9,10,172/-. It would be in interest of justice, if the petitioners are afforded period of 60 days to repay the defaulted installments as demanded by the respondent-Bank.

7. We, therefore, direct the petitioners to deposit a sum of Rs.1,70,000/- within a period of three days from today and dispose of the petition with a liberty to the petitioners to deposit the balance amount within a period of 60 days. In the event of the petitioners doing so, no coercive steps



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will be taken against them. In the event of the petitioners not making this payment within the stipulated period, the respondents shall be at liberty to initiate the proceedings/coercive steps against the petitioners in accordance with law.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

06.09.2024

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Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No