

2024:PHHC:128591



IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

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CWP-25038-2024 (O&M).
Date of Decision: 27.09.2024.

JAGDISH PARSHAD

... Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

... Respondent(s)

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

Present: Mr. Nipun Bhardwaj, Advocate, and
Mr. Harnam Singh, Advocate,
for the petitioner.

Mr. Saurav Goyal, Advocate, for
Mr. Gaurav Goel, Advocate,
for respondent No.2-Bank.

VINOD S. BHARDWAJ, J. (ORAL)

The petitioner has approached this Court for seeking issuance
of a direction to the respondent No.2-Bank to appear before the Registration
Authority for the execution of the sale deed in favour of the petitioner with
all the necessary documents as the petitioner has paid the entire loan

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liability and the respondent No.-2/bank has already issued the “NOC” dated 07.08.2024 (Annexure P-6).

2 Learned counsel appearing for the petitioner contends that the property in question is owned by respondent No.4 and that in so far as the loan liability is concerned, the same has already been discharged. However, merely on the strength of an alleged agreement to sell executed between the petitioner and respondent No.4-Alvina wife of Rashpal, he cannot claim that the NOC and mortgage documents ought to be released in his favour. He contends that so far as the entitlement of the petitioner to claim title is concerned, the same is a dispute between the petitioner and respondent No.4 for which he is required to approach the Civil Courts for seeking specific performance of the agreement.

3 In view of the aforesaid, counsel for the petitioner does not press the instant petition so as to take recourse to the alternative remedies available to him as per law.

4 Disposed of as not pressed with liberties as aforesaid.

September 27, 2024.
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(VINOD S. BHARDWAJ)
JUDGE

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