



IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-49805-2024
Date of decision : October 04, 2024

Shishan Pal	Petitioner
Versus	
State of Haryana and others	Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Karan Bhardwaj, Advocate, for the petitioner
Mr. Rajesh Gaur, Addl. AG, Haryana

KULDEEP TIWARI,J. (ORAL)

- Through the instant petition, filed under Section 528 of BNSS, 2023, a prayer is made for issuance of mandamus to official respondents No.1 to 3, to take necessary steps to the effect that no obstruction is caused by private respondents No. 4 and 5, in plying of the vehicle of the petitioner, as private respondents No. 4 and 5, are making an attempt to take forcibly possession of the vehicle through their henchmens.
- Learned counsel for the petitioner on asking for the relief (supra), has placed reliance upon *Manager, ICICI Bank Ltd. vs. Praksh Kaur and others, 2007(2) R.C.R. (Criminal) 76*, and *ICICI Bank vs. Shanti Devi Sharma and others, 2008(3) R.C.R. (Criminal) 463*, and submits that the recovery of loan or seizure of vehicles could be done only through legal means.

3. Without issuing notice of motion in the instant petition, a mandamus is passed upon the official respondents No.1 to 3, to take all necessary steps to the effect that no obstruction in plying of the vehicle of the petitioner, should be caused on the part of private respondents No.4 and 5, without adhering to the procedure of law.

4. **Disposed of accordingly.**

October 04, 2024

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**(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned ? Yes/No
Whether Reportable ? Yes/No