IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

275 **CWP-15480-2025**
Date of decision : 29.05.2025

Simone Verma and another
... Petitioners

Versus

State of Punjab and others
... Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present:- Mr. Sukhwinder Singh Kamboj, Advocate for the petitioners.

Mr. Aftab Singh Khara, Senior DAG, Punjab.

Mr. Armaan Roop Sharma, Advocate and
Mr. Lekhraj Patidar, Advocate for respondent No.4.

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Anupinder Singh Grewal, J. (Oral)

Learned counsel for the petitioners submits that the parents of the petitioners had availed a home loan for Rs.20.31 lakhs in the year 2018 from respondent No.4-financial institution, which was duly insured with respondent No.5-Insurance Company, which is the sister concern of respondent No.4. The parents of the petitioners had been repaying the loan by way of installments. A copy of the account statement is annexed at Annexure P-3. Unfortunately, the father of the petitioners became seriously ill in the year 2022 and after a prolonged illness, expired on 03.03.2023 at PGIMER, Chandigarh. The family had spent a sizeable amount on his treatment. In a cruel twist of fate, the mother of the petitioners also expired on 13.09.2024. Copies of the death certificates of the parents of the petitioners are at Annexures P-1 and P-2. He further submits that the premium had been regularly paid to respondent No.5.

2. Learned counsel for respondent No.4-financial institution, upon instructions from Mr. Raghav Arora, Authorized Officer, submits that although the total outstanding loan amount as on date is Rs.24,62,051/- which includes the principal amount of Rs.18,82,140/- but keeping in view the exceptional circumstances and the factum of the petitioners having lost their parents, they are willing to settle the loan account for a sum of Rs.10 lakhs.

3. Learned counsel for the petitioners submits that the petitioners would pay the amount of Rs.10 lakhs but would require some time in that regard.

4. Heard.

5. It is indeed an unfortunate case where the petitioners have lost their parents at a young age. Petitioner No.1 is 19 years old and a student of BA 1st year whereas petitioner No.2 is 16 years old and a student of Class-10. The parents had availed a home loan from respondent No.4-financial institution which was insured with respondent No.5-Insurance Company and they had been repaying the installments. However, after the death of the parents, the family appears to have been in financial distress and unable to repay the loan amount.

6. We appreciate the gesture of respondent No.4-financial institution (Tata Capital Housing Finance Limited) in agreeing to settle the loan account for a sum of Rs.10 lakhs as an exceptional case. At the suggestion of this Court as to whether respondent No.4 would be willing to help the petitioners by bearing the expenses on their education, learned counsel for respondent No.4 very fairly submits that a proposal shall be sent to the competent authority in this regard, for considering the case of the petitioners in accordance with their Corporate Social Responsibility (CSR) Policy. We expect respondent No.4 to favourably consider the proposal for covering the educational expenses of the petitioners.

7. It would be in the interest of justice, equity and fair play if the petitioners are granted reasonable time to make the payment of Rs.10 lakhs as full and final settlement towards the loan account of their parents.

8. Learned counsel for the petitioners submits that the petitioners would make the payment by 30.06.2025 as they have been promised financial help from good samaritans. He also submits that the petitioners shall also be making a representation to the State of Punjab for considering the case of the petitioners for financial help under the Social Welfare scheme.

9. Consequently, the petition is disposed of with a direction that in the event of the petitioners paying a sum of Rs.10 lakhs by 30.06.2025, their loan account would be settled and the title deed of the secured asset shall be released to the petitioners.

10. However, the petitioners would be at liberty to make representation(s) to the State of Punjab for considering their case for financial help under the social welfare scheme and the State of Punjab would consider their case sympathetically in terms of the policy currently in force.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

May 29, 2025
sonia gugnani

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