

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT SRINAGAR**

(Through Virtual Mode)

**CJ Court**

Case: WP(C) No. 1023/2024

CM No. 2784/2024

Bilal Ahmad Mir

.....Appellant/Petitioner(s)

Through :- Mr. Arif Sikander Mir, Advocate.

v/s

Union of India and another

.....Respondent(s)

Through :- Mr. Azhar-ul-Amin, Advocate.  
Mr. T. M. Shamsi, DSGI with  
Ms. Rehana Qayoom, Advocate.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER**

22.05.2024

1. Heard learned counsel for the petitioner.
2. When the matter was taken up, learned counsel for the Bank has produced a decision rendered by this court in WP(C) No. 480/2021 passed on 16.03.2022 and accordingly submits that the order passed by this court on 12.04.2024 in WP(C) No. 2429/2023 titled '*M/s Hotel Alpine Ride and Ors. v. Union of India and Ors.*' is *per incuriam*.
3. Learned counsel for the petitioner, Mr. Mir submits that petitioner has already fixed deposits lying with the bank to the tune of ₹50 lakhs.
4. In view of the submissions made by the learned counsel for the petitioner that the petitioner has fixed deposits worth ₹50 lakhs lying with the Bank, the Bank would be at liberty to encash the same for realization of the dues amounting to ₹51,21,769.18 as mentioned in the draft notice dated 24.01.2024, and the petitioner is also at liberty to deposit additional amount by way of cash if need

arises, in which event the Bank shall not take any coercive action against the petitioner.

5. List the matter again on 05.06.2024.

**(WASIM SADIQ NARGAL)**  
**JUDGE**

**(N. KOTISWAR SINGH)**  
**CHIEF JUSTICE**

JAMMU  
22.05.2024  
Raj Kumar

