

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

CM(1920/2025) IN WP(C) 2345/2024  
CM(6266/2024) CM(643/2025)

M/S MEDICARE HEALTH SERVICES PVT LTD

...Petitioner/Appellant(s)

Through: Mr. G. A. Lone, Advocate.

**Vs.**

JAMMU AND KASHMIR BANK LTD AND ORS

...Respondent(s)

Through: Mr. Rabinder Singh, Advocate.

**CORAM:**

**HON'BLE MR JUSTICE JAVED IQBAL WANI, JUDGE**

**ORDER**

11.04.2025

**CM No. 1920/2025**

1. The instant application has been filed by the petitioner/applicant herein seeking a direction upon the respondent Bank to release the documents of the hypothecated/mortgaged properties pledged with the respondent/non-applicant Bank at the time of availing of loan claimed to have been repaid by the petitioner applicant herein to the respondent Bank through the intervention of another Bank namely HDFC Bank, purportedly held by the respondent non-applicant Bank as against the prepayment penalty including the reversal rate of interest amounting to Rs.1,64,92,000/-
2. According to counsel for the petitioner/applicant the documents in question are required to be deposited before the HDFC Bank from which Bank the petitioner applicant herein has availed the loan and has utilized the same in repaying the loan availed from the respondent non-applicant Bank.
3. It is further contended by counsel for the petitioner applicant herein that withholding the documents in question by the respondent non-applicant Bank is adversely affecting not only the petitioner/applicant herein but is also affecting the business relations of the petitioner applicant with the HDFC Bank.

**Heard counsel for the petitioner/applicant and perused the record.**

Issue notice to the respondent/non-applicants returnable within three weeks upon steps within one week.

List on 23.04.2025 along with main case.

In the meanwhile, subject to the furnishing of a Bank guarantee amounting to Rs.1,64,92,000/- before the Registrar Judicial of this Court within weeks time, the respondent non-applicant Bank is directed to release/return the documents in question in favour of the petitioner/applicant.

Modification/alteration/vacation on motion.

At this stage Mr. Rabinder Singh, Advocate, enters appearance and accepts notice on behalf of respondents/non-applicants.

Objections by or before the next date.

**(JAVED IQBAL WANI)  
JUDGE**

**SRINAGAR**

11.04.2025

*Ishaq*