

CM-3477-CWP-2026 in/and
CWP-38319-2025

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-3477-CWP-2026 in/and
CWP-38319-2025
Date of decision:-21.04.2026**

Ramesh Kumar Dhankhar

...Petitioner

Versus

HDFC Bank Ltd. and others

...Respondents

**CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL
HON' BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Navneet Jindal, Advocate
for the petitioner (THROUGH V.C.).

Mr. Abhinav Sood, Advocate and
Ms. Mehndi Singhal, Advocate
for respondent No.1.

None for respondent No.2.

Mr. Bikram Chaudhary, Advocate
for respondent No.3.

SUVIR SEHGAL, J.(ORAL)

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1. Application is allowed, as prayed for.
2. Written statement filed on behalf of respondent No.3, is



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taken on record.

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3. Mr. Abhinav Sood, Advocate has put in appearance on behalf of bank - respondent No.1 and has filed memo of appearance, which is taken on record. Mr. Bikram Chaudhary, Advocate has put in appearance on behalf of respondent No.3.

4. This writ petition has been filed, *inter alia*, for directing respondent No.1 – bank to release an amount of Rs.2,09,57,851.70 to the petitioner along with interest.

5. Counsel for the petitioner states that respondent No.2, who is brother of petitioner had taken a credit facility from respondent No.1 and had mortgaged an industrial plot in the ownership of their mother. He states that as there was a default in repayment of the loan installments, respondent No.1 initiated proceedings under the SARFAESI Act, 2002 and mortgaged property was put to auction. It has been pointed out that after adjusting the loan amount as well as other expenses, petitioner is claiming the amount lying in the credit of bank.

6. Upon notice, written statement has been filed on behalf of respondent No.3, who is the sister of the petitioner wherein she states that petitioner has propounded a Will, which is being contested by her by filing a civil suit.

7. Upon instructions, counsel for bank states that the



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amount has been kept in a fixed deposit and shall be disbursed to whosoever is found entitled to it, subject to the outcome of the civil suit and on fulfilment of procedural requirements.

8. Faced with this development, counsel for the petitioner seeks and is granted permission to withdraw the present petition with liberty to contest the civil suit instituted by respondent No.3.
9. Dismissed as withdrawn with liberty as aforesaid.

**(SUVIR SEHGAL)
JUDGE**

**(VIKAS SURI)
JUDGE**

**21.04.2026
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No