

2025:PHHC:078254



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

119

CR-3781-2025 (O&M)

Date of decision: 03.07.2025

Punjab National Bank

...Petitioner

Versus

Sham Sunder and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Rakshit Gupta, Advocate for the petitioner.

VIKAS SURI, J. (Oral)

1 The present petition under Article 227 of the Constitution of India has been filed by the Punjab National Bank, a body corporate constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, impugning the order dated 12.03.2025 (Annexure P-2) passed by learned Additional Civil Judge (Senior Division), Faridkot, whereby the application moved by defendant No.1, namely CEO and Managing Director of the aforesaid Bank, for deleting/striking off the name of the said defendant from the array of defendants, has been dismissed.

2. Perusal of the memo of parties of the civil suit (at page 18 of the paper book), in which proceedings the impugned order has been passed, would show that the petitioner/Bank is not a party thereto. It is not



disputed that the Petitioner-Bank is a juristic person and can sue and be sued in its own name.

3. Admittedly, the instant petition has been filed by the petitioner/Bank, which is not a party to the suit and as such, in my considered opinion, would not be competent to institute and maintain the instant petition against the impugned order.

4. In the light of the above, the present petition being misconceived and not maintainable at the hands of a petitioner, the same deserves to fail. However, this order would not come in the way of any aggrieved defendant or any other party to the said suit and it shall be open to them to avail of their legal remedy, in accordance with law, if so advised.

5. Accordingly, the revision petition is dismissed with the aforesaid observations.

July 03, 2025

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(VIKAS SURI)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes / No
Yes / No