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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 1559/2024**

LEATHEROID PLASTICS PVT LTD & ANR.Petitioners

Through: Ms. Radhika Goel, Adv.

versus

CHIEF MANAGER, CANARA BANK & ORS.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.09.2024

CM APPL. 57375/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CONT.CAS(C) 1559/2024

3. The petitioner is seeking initiation of contempt proceedings against the respondents for giving false information/balance certificates and not complying with the directions of this Court dated 24.02.2020 and 20.07.2023, passed by this Court in W.P. (C) No. 10272/2015 titled as 'Canara Bank v Leatheroid Plastics Private Limited'.
4. No one is present for the respondents despite advance notice.
5. Learned counsel for the petitioners has submitted that although the petitioners have made payment towards discharge of the loan amount, which was quantified to be ₹ 62,78,446/- with simple interest @ 11% per annum from the date of filing of the OA till realization, and in fact the same has been paid too, the grievance remains that the



bank has never submitted a correct balance confirmation and had repeatedly changed/modified it, thereby making excessive demands all the time. In essence the plea is that the bank has never properly explained the correct amount due from the petitioners, thus misleading the Court.

6. I am afraid the present Contempt Petition is not sustainable in law. This Court cannot go into the disputed questions of facts so as to inquire as to what exactly was the amount due or payable by the petitioners to the respondent bank. The remedy in such cases lies before the Civil court by instituting an appropriate commercial dispute. Hence, the present writ petition is dismissed without prejudice.

DHARMESH SHARMA, J.

SEPTEMBER 30, 2024/*sm*