(2026) 02 P&H CK 1720

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 26840 Of 2025 (O&M)

Ashok Kumar	APPELLANT
Vs	
Manager, Axis Bank, Branch Manimajra, Chandigarh And Another	RESPONDENT

Date of Decision : 03-02-2026

Acts Referred:

Citation : (2026) 02 P&H CK 1720

Hon'ble Judges : Gurvinder Singh Gill, J;Ramesh Kumari, J

Bench : Division Bench

Advocate : Ashok Kumar

Final Decision : Dismissed

Judgement

Ramesh Kumari, J

1. The present petition is filed by the petitioner-Ashok Kumar, appearing in person, against an order dated 10.06.2024 passed by the National Consumer Disputes Redressal Commission, New Delhi, vide which the petition filed by the petitioner herein was dismissed.

2. The petitioner, who appears in person, submits that he approached respondent No.1-Manager of the Axis Bank for availing housing loan on 06.05.2021 and submitted requisite charges. He also paid a sum of Rs. 2950/- as processing fee. The petitioner was to get his land registered on 05.07.2021 and he was promised that the aforesaid loan of Rs. 5 lacs will be sanctioned and disbursed before 05.07.2021 but his case for sanction of loan was kept pending on one pretext or the other and ultimately the loan was not disbursed to him. The petitioner approached the District Consumer Disputes Redressal Commission, Union Territory, Chandigarh, for redressal of his grievance but his petition was dismissed. The State Commission awarded him refund of Rs.2950/- which was paid by him as the processing fee alongwith Rs. 25,000/-as compensation for mental agony, harassment and deficiency in rendering service and litigation costs

but he was not compensated for the loss suffered due to non-disbursement of loan of Rs. 5 lacs by the respondent bank. The petitioner submits that he could not deposit the balance amount due to non-disbursement of loan by the respondent bank and the National Disputes Redressal Commission, New Delhi, unlawfully dismissed his revision petition. He prayed that he is entitled for Rs. 5 lacs alongwith interest for loss suffered by him due to deficiency of service by the respondent bank for not disbursing the loan amount.

3. Respondent No.1 bank is a financial institute which can disburse the loan amount under different categories. Before sanction and disbursement of loan, the financial institute is statutorily competent to determine the competency of the buyer to pay loan and viability of the prospective seller to enter into the transaction of sale of land for which housing loan was sought. The respondent bank did not find it fit to disburse loan amount of Rs. 5 lacs. The National Commission, New Delhi rightly observed that "before disbursement of loan, the bank has a right to do further verification in terms of legal title of the land or plot in question and related aspects and if the same are not satisfied, the bank has a right not to disburse the loan notwithstanding its earlier sanction". The petitioner cannot pray for disbursement of loan as a matter of right even if there is a sanction of loan by the respondent bank because the respondent bank has to evaluate the recovery prospect from the land offered as loan security to ensure that it covers the loan amount in case of default.

4. In view of the above, there is no illegality or perversity in the impugned order passed by the National Consumer Disputes Redressal Commission, New Delhi and the same does not warrant any interference. Accordingly, finding no merits in the petition, the same stands dismissed.

