

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No. 11109 of 2015

Date of decision : 28.07.2015

M/s Riddhi Steel and Tubes Pvt. Ltd.

.....Petitioner

Versus

Punjab National Bank and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MRS. JUSTICE LISA GILL**

Present: Mr. Vikas Mohan Gupta, Advocate
for the petitioner.

Mr. R.S. Bhatia, Advocate for respondent No. 1.

Mr. Satya Pal Jain, Additional Solicitor General of India
with M/s Alok Kumar Jain and Dheeraj Jain, Advocates

Mr. I.P. Singh, Advocate
Mr. Ranjit Chawla, Advocate
Ms. Harpreet Kaur, Advocate
Ms. Avtar Kaur, Advocate
Mr. C.S. Pasricha, Advocate

Mr. V.V.S. Kharayat, Under Secretary (DRT)
Department of Financial Services.

Mr. H.K. Khullar, Registrar DRT-I

Mr. Tara Chand Kumawat, Registrar
Debts Recovery Tribunal -II

HEMANT GUPTA, J. (ORAL)

Learned counsel for the petitioner states that writ petition is
rendered infructuous in view of order passed by the Debt Recovery
Tribunal.

Dismissed as infructuous.

While dismissing the writ petition as infructuous, we order that the issues raised and recorded in the orders dated 29.05.2015 & 14.07.2015 should continue to be monitored by the High Court in a petition to be registered as public interest petition to be posted for hearing on 16.09.2015 after obtaining orders from the Hon'ble Acting Chief Justice.

Mr. Vikas Mohan Gupta and Mr. R.S. Bhatia, Advocates for the parties in the writ petition, are requested to assist this Court as amicus curiae.

In CWP No. _____ of 2015 (PIL)

This order be read in continuation of orders dated 29.05.2015 & 14.07.2015 passed in CWP No.11109 of 2015.

An affidavit has been filed by the Registrar, Debt Recovery Tribunal-1, Chandigarh along with complete verified list of cases. The same is taken on record.

Mr. Jain, Additional Solicitor General, points out that the Ministry has taken active steps for developing a website and needful will be done preferably within six months. However, Mr. Jain wishes to examine as to whether basic module for uploading the cause list, interim and final orders can be made functional forthwith.

Mr. Jain also seeks some time to examine as to whether the Presiding Officer of the Debt Recovery Tribunal can be transferred and that the Debt Recovery Appellate Tribunal or the jurisdictional High Courts or such other authority can be given power to supervise day to day working

including disciplinary control over the authorities constituted under the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 and the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 . Mr. Jain points out that such aspect needs to be examined for the reason as of now, any follow up action on a complaint against the Presiding Officer, Debt Recovery Tribunals is a long drawn process.

Mr. Jain shall also furnish status report regarding complaints, if any, received against the Presiding Officer, Debt Recovery Tribunal and the action taken thereon.

We direct Registrar (Vigilance) of this Court to submit preliminary inquiry report within a period of one month in terms of the order dated 14.07.2015 passed in CWP No.11109 of 2015.

The interim orders passed shall continue in the meantime.

List on 16.09.2015.

(HEMANT GUPTA)
JUDGE

(LISA GILL)
JUDGE

July 28, 2015
rts