

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

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**C.W.P. No. 17485 of 2015
Date of Decision:-24.08.2015**

Punjab & Sind Bank petitioner

Versus

Recovery Officer, Debts Recovery Tribunal & Anr.Respondents

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE MAHAVIR S. CHAUHAN.

Present:- Mr. I.P.Singh, Advocate, for the petitioner.

SATISH KUMAR MITTAL, J.(Oral)

The Punjab & Sind Bank has filed the instant writ petition challenging the order dated 07.01.2015, Annexure P/1, passed by the Debts Recovery Tribunal-II, Chandigarh. The said order is appealable under of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The petitioner has not availed the said remedy. It has been contended that since the Recovery Officer has passed the order on the basis of the guidelines earlier given by this Court, therefore, the appeal is not maintainable.

We do not agree with the aforesaid contention. Merely because the Recovery Officer has passed the order taking into consideration the guidelines given by this Court, it does not take away the right of the petitioner to avail the remedy of the appeal, therefore, we are of the view that the impugned order is appealable and the petitioner-Bank is at liberty to avail the said remedy.

Dismissed with the aforesaid liberty.

**(SATISH KUMAR MITTAL)
JUDGE**

**(MAHAVIR S.CHAUHAN)
JUDGE**

**August 24, 2015
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