

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

CWP No.4052 of 2015

Date of decision:9.3.2015

M/s V & V Apparels Pvt. Ltd. and another Petitioners

VERSUS

Punjab and Sind Bank and another Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Munish Jolly, Advocate and
 Mr. Vivek Verma, Advocate for the petitioners.

HEMANT GUPTA, J.(Oral)

The challenge in the present writ petition is to an order passed by the Debts Recovery Appellate Tribunal on 27.10.2014 whereby in an appeal filed by the Bank, the Debts Recovery Tribunal (for short 'Tribunal') was directed to consider as to whether case is made out for passing interim order in the light of the facts pleaded and the prayer by the respondents, the present petitioners.

Learned counsel for the petitioners submits that the pleadings before the Tribunal in proceedings under Section 17 of the Securitization and Reconstruction of Financial Asset and Enforcement of Security Interest Act, 2002 (for short 'the Act') are complete and that the petitioners seek indulgence of this Court for direction to the Tribunal to decide an application under Section 17 of the Act on merits rather than the application seeking interim relief.

We find that the prayer of the petitioners seems to be prima facie justified.

Consequently, we direct the Tribunal to decide the application filed by the petitioners under Section 17 of the Act on merits without considering the request of the petitioners for interim order in accordance with law.

**(HEMANT GUPTA)
JUDGE**

MARCH 9, 2015
'D. Gulati'

**(LISA GILL)
JUDGE**