

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Civil Writ Petition No. 9805 of 2015(O&M)

Date of Decision: July 30 , 2015.

Vipin Gupta

..... PETITIONER (s)

Versus

The Authorized Officer, State Bank of India and another

..... RESPONDENT (s)

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

Present: Mr. Sandeep Moudgil, Advocate
for the petitioner.

Mr. IPS Doabia, Advocate
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

HEMANT GUPTA, J.

The grievance of petitioner is that the interim relief granted to the petitioner stands vacated by the Debt Recovery Tribunal without assigning any reason. This has happened twice.

Mr. Doabia, learned counsel for respondent – Bank suggests that an application filed by the petitioner under Section 17 of the Securitization and Reconstruction of Financial and Enforcement of Security Interest Act, 2002 can be transferred to another Debt Recovery Tribunal so as to avoid any allegation

of impropriety on the part of the Presiding Officer of the Debt Recovery Tribunal-I, Chandigarh.

Keeping in view the interim orders passed earlier and vacation thereof without assigning any reason, we deem it appropriate that an application i.e., S.A. No.163 of 2011 filed by the petitioner shall stand transferred to Debt Recovery Tribunal-II, Chandigarh.

The parties shall appear before the transferee Tribunal on 31.08.2015 for further proceedings, in accordance with law. The transferee Tribunal shall decide the original application filed by the petitioner within a period of four months after considering all the contentions raised before the Tribunal as well as before this Court and also pass an appropriate order for interim relief.

In the meantime, the offers received in pursuance of advertisement published by the respondent-Bank shall abide by the decision of the transferee Tribunal.

Disposed of.

(HEMANT GUPTA)
JUDGE

(LISA GILL)
JUDGE

July 30 , 2015.
'om'