

**IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH**

CWP No. 12849 of 2016
Date of decision : June 28, 2016

M/s. White Water Foods Pvt. Ltd. and another Petitioners

Versus

Bank of Maharashtra and others Respondents

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present:- Mr. Sanjiv Bansal, Advocate, with
Mr. Aditya Grover, Advocate,
for the petitioners.

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?

M. JEYAPPAUL, J (oral).

Heard the submission made by learned counsel for the writ petitioners.

The writ petition is filed to restrain the respondent-bank from taking over physical possession of the property mortgaged by petitioner No.1 under the provisions of the Securitisation & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Notice has been issued by respondent No.1 under Section 13(4) of the Securitisation & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Therefore, the writ petitioners have approached the Debt Recovery Tribunal.

On perusal of the Annexure P-4, it is found that the Debt Recovery Tribunal has simply adjourn the matter on 24.06.2016 to 07.07.2016. It has been observed therein that the matter which pertains to

Presiding Officer Debt Recovery Tribunal-1 who has jurisdiction to deal

with this matter, is on leave. The file has been directed to be put up before DRT-1.

Learned counsel appearing for the writ petitioners submits that the Presiding Officer, DRT-1 is on leave and he will attend office only on 07.07.2016.

Therefore, there shall an order of stay till the above application preferred by the petitioners before DRT-1 stands disposed of. The petitioners are directed to maintain status quo as regards the said property.

Accordingly, the writ petition is disposed of.

A copy of this order be supplied to the learned counsel for the petitioners under the signatures of Bench Secretary.

(M. JEYAPPAUL)
JUDGE

(A.B. CHAUDHARY)
JUDGE

28.06.2016
Dinesh