

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No. 20604 of 2015 (O&M)
Date of Decision: 16.05.2016

James Hotel Ltd.

..Petitioner

versus

Debts Recovery Tribunal-1, Chandigarh and others

..Respondents

**CORAM: HON'BLE MR. JUSTICE S.J.VAZIFDAR, ACTING CHIEF JUSTICE.
HON'BLE MR. JUSTICE ARUN PALLI.**

Present : Mr. Mathew J.Nedampara, Advocate with
Mr. Nitish Kumar Vasudeva, Advocate and
Mr. A.C.Philip, Advocate, for the petitioner.

Mr. A.K.Ahuja, Advocate, for respondents No.3 to 5.
Mr. Aalok Jagga, Advocate, for respondent Nos. 9 to 11.

Mr. Jagdish Marwaha, Advocate, for respondent No.12.

S.J.VAZIFDAR A.C.J. (Oral)

The petitioner has essentially challenged an order dated 12.05.2015 passed by the Debts Recovery Tribunal-1, Chandigarh rejecting its S.A. on the ground that it is not maintainable. The Debts Recovery Tribunal held that a notice under section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (for short 'the Act') had not been issued and therefore, the SA was not maintainable.

2. We are informed that now a notice under Section 13(4) of the Act has been issued by one of the creditors. The petitioners are always at liberty to raise all the contentions in the SA filed by the petitioners challenging the notice under Section 13(4) of the Act. After the order is passed, the respondents will no doubt serve the same upon the petitioners.

Petition is accordingly disposed of.

(S.J.VAZIFDAR)
ACTING CHIEF JUSTICE

16.05. 2016

'ravinder'

(ARUN PALLI)
JUDGE