

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

CR No.7996 of 2013
Date of decision : 29.08.2017

Jagtar Singh

...Petitioner

Versus

Gian Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. Rajat Nakra, Advocate with
Ms. Vishakha Sharma, Advocate for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

The plaintiff-petitioner has filed this revision petition against the order dated 10.07.2013 rejecting the plaint under Order 7 Rule 11 CPC on the ground that Civil Court has no jurisdiction in view of the provisions of Section 34 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

In this case, Manager of the respondent No.2 was called in person, as the counsel for the petitioner had made a statement that entire dues of the bank have been cleared and now the dispute only remains between the plaintiff and defendant No.1.

In view of the statement made, now the dispute cannot be adjudicated upon by the Debt Recovery Tribunal because the accounts of the

Bank have been settled. In fact, defendant No.2 is not necessary party now.

In view thereof, order dated 10.07.2013 is set aside.

Revision petition is disposed of.

Parties are directed to appear before the trial Court on
11.09.2017.

29.08.2017

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No