

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.19551 of 2017.

Date of Decision: August 30, 2017

Ram Chander and another

.....Petitioners

versus

Pegasus Assets Reconstruction Pvt. Ltd. and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDHIR MITTAL.

Present: Mr.Satinder Kumar Rana, Advocate, for the petitioners.

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Surya Kant, J. (Oral)

The petitioners are guarantors in respect of the loan amount sanctioned by Allahabad Bank in favour of proforma respondent No.4. The Pegasus Assets Reconstruction Private Limited Company has now filed Original Application against the borrower as well as guarantors and the summoning orders in that Original Application are being assailed in this writ petition on the ground that earlier also an Original Application filed by the Bank was dismissed for non-prosecution.

In our considered view, the plea regarding non-maintainability of the Original Application can very well be taken by the petitioners before the Debt Recovery Tribunal. The other objections sought to be raised can also be taken before the Debt Recovery Tribunal which shall be decided in accordance with law.

No case to interfere with by this Court is made out.

With liberty aforementioned, the writ petition is dismissed.

[SURYA KANT]
JUDGE

August 30, 2017

mohinder

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No