

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

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**Civil Writ Petition No.4332 of 2017
Date of Decision: March 06, 2017**

Jagjit Singh Kapoor

....Petitioner

versus

Union of India and others

...Respondents

***CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN***

Present: Mr. D.K. Bhatti, Advocate
for the petitioner.

Mr. Rahul Sharma, Advocate
for the caveator.

AJAY KUMAR MITTAL, J. (Oral)

The challenge in this petition filed under Articles 226/227 of the Constitution of India is to the order dated 06.01.2017 wrongly mentioned as 06.01.2016 (**Annexure P-7**) passed by respondent No.2 in OA No.2306 of 2016 titled as '**Axis Bank vs. Jagjit Singh**' under Section 19 of the Recovery of Debts due to Banks and Financial Institutions Act, 1993 (in short, 'the Act') whereby the petitioner was restrained from travelling abroad without the permission of the Debts Recovery Tribunal-II, Chandigarh. Further prayer has also been made to direct respondent No.1 to formulate special investigating team to investigate the matter and to take lawful action against respondent No.3.

2. It was not disputed that the order impugned herein i.e. Annexure P-7 is an appealable order under Section 20 of the Act before the Debts Recovery (Appellate) Tribunal.

3. In such a situation, since certain factual matrix is required to be established by way of leading evidence, we do not find any justification to entertain the present petition under Articles 226/227 of the Constitution of India.

4. Dismissed.

(AJAY KUMAR MITTAL)
JUDGE

March 06, 2017
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No