

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.10129 of 2018.

Date of Decision: April 25, 2018

Sukhjit Kaur and others

.....Petitioners

versus

Presiding Officer, Debt Recovery Tribunal-I, Chandigarh and another

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT.**

**HON'BLE MR.JUSTICE SHEKHER DHAWAN.**

\*\*\*

Present: Ms.Jyoti Sareen, Advocate, for the petitioners.

-.-

**Surya Kant, J.** (Oral)

The petitioners are aggrieved by the order dated 18.01.2018 whereby the Debt Recovery Tribunal-I, Chandigarh has allowed the OA filed by Canara Bank and decreed the claim of recovery of Rs.45,08,756/- alongwith future interest and cost etc. It may be true that the impugned order has been passed *prima-facie* hurriedly without giving reasonable time to the petitioners to file their written statement or even without supplying a copy of OA, nevertheless we are of the view that the appropriate recourse for the petitioners would be to file appeal before the Debt Recovery Appellate Tribunal. We request the learned Appellate Tribunal that keeping in view the peculiar facts and circumstances of this case, the applications to be moved by the petitioners for (i) waiver of pre-deposit and (ii) condonation of delay in filing the appeal, may be considered sympathetically with an endeavour to decide the appeal on merits. The petitioners, if so advised, may file the appeal within two weeks.

The writ petition stands disposed of accordingly.

**[SURYA KANT]**  
**JUDGE**

April 25, 2018  
*mohinder*

**[SHEKHER DHAWAN]**  
**JUDGE**

**Whether speaking/reasoned**

:

**Yes/No**

**Whether Reportable**

:

**Yes/No**