

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

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**CWP No.1240 of 2018 (O&M)**

**Date of Decision: 29.01.2018**

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M/s Ashiana Inn Ltd. & Ors.

...Petitioners

VS.

DRT-II, Chandigarh & Anr.

... Respondents

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**Coram : Hon'ble Mr.Justice Surya Kant  
Hon'ble Mr.Justice Shekher Dhawan**

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Present: Mr. Virat Amarnath, Advocate for the petitioner

Mr. BPS Dhaliwal, Advocate for respondent No.2

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**SURYA KANT J. (Oral)**

(1) The instant writ petition is directed against the order of DRT-II, Chandigarh whereby the petitioner's right to file written statement as well as counter-claim was closed.

(2) We have heard learned counsel for the parties and gone through the record.

(3) It is not necessary to mention the facts for the purpose of resolving the controversy and suffice it would be to say that two effective opportunities were granted to the petitioners to file their written statement/counter-claim which they failed to avail. As a result of which, the impugned orders were passed by the Tribunal. The case is now listed before the Tribunal on 20.02.2018.

(4) Taking into consideration the totality of the circumstances, the writ petition is allowed in part; impugned order dated 31.05.2017 and 09.10.2017 passed by the DRT-II, Chandigarh in OA No.2929-2017 are modified to the extent that let last opportunity be granted to the petitioners to

V.Vishal file their written statement/counter-claim, if any, on or before the date fixed  
2018.02.05 12:29

i.e. 20.02.2018 subject to payment of cost of ₹ 15000/- which shall be paid to the respondent-Bank along with copy of the written statement/counter-claim.

(5) **Dasti.**

**(Surya Kant)**  
**Judge**

**29.01.2018**  
*vishal shonkar*

**(Shekher Dhawan)**  
**Judge**

1. *Whether speaking/reasoned?*  
2. *Whether reportable?*

**Yes**  
**No**