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

**CWP No.14927 of 2018 (O&M)
Decided on : 14.08.2018**

M/s Desire Clothing, Ludhiana and another

Petitioners

Versus

IDBI Bank Ltd, Ludhiana

Respondent

* * *

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present : Mr. Parmeshwar Kumar Dixit, Petitioner in person.

Mr. Gaurav Goyal, Advocate
for the respondent.

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AVNEESH JHINGAN, J.

This writ petition has been filed seeking quashing of order dated 26.04.2018 (Annexure P-2) and further direction is sought to the respondent-Bank to supply the paper book of Original Application (O.A.) filed before the Debts Recovery Tribunal, Chandigarh (hereinafter referred to as 'D.R.T.').

2. I.D.B.I. Bank Limited, Ludhiana has been arrayed as respondent in this writ petition.

3. The respondent-bank filed O.A. No.4891 of 2017 before the D.R.T. The petitioners, through counsel, put in appearance before D.R.T. Lateron, the counsel informed the petitioners that he is not dealing with the matters of D.R.T. anymore and the opportunity to file written statement to O.A. has been closed by D.R.T. vide order dated 08.01.2018. The petitioners filed an application bearing I.A. No. 318 of

2018, with a request that copy of paper book be supplied to them and an opportunity be given to file the reply. The said application was dismissed by the D.R.T. vide order dated 26.04.2018. During the pendency of the writ petition, the copy of paper book was supplied to the petitioners. The grievance regarding non-supplying of paper book no longer survives.

4. As pleaded by the petitioners, that written statement could not be filed due to non-supply of paper book and as their counsel stopped attending the cases of D.R.T. and had not taken care about the case.

5. The contention of the petitioners was resisted by learned counsel for the respondent-bank.

6. It is not disputed that O.A. is now fixed for 08.02.2019.

7. In view of the afore-stated circumstances of the case and in the interest of justice, it is deemed appropriate that petitioner be given one opportunity to file written statement. The same be filed on or before 30.09.2018.

8. The writ petition is disposed of, accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

14.08.2018
pankaj baweja

Whether speaking/reasoned: Yes / No
Whether reportable : Yes / No