

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

**CWP No.14969 of 2018  
Date of decision :9.8.2018**

Jitesh Gupta

..... Petitioner

VERSUS

Debts Recovery Tribunal-III and others

..... Respondents

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

Present: Mr.Varun Baanth, Advocate for the petitioners.  
Ms.Madhu Dayal, Advocate for respondent No.2.  
Mr.Arshdeep Singh Arora, Advocate for  
respondent no.3.

**AJAY KUMAR MITTAL, J.**

1. A challenge in the writ petition is to the order dated 13.3.2018, Annexure P.4, passed by respondent No.1, whereby S.A. no.642 of 2017 filed by the petitioner before it was dismissed for non-appearance.
2. After arguing for some time, learned counsel for the petitioner states that he may be allowed to withdraw the present petition with liberty to the petitioner to file an application for restoration of the case before respondent No.1- Debts Recovery Tribunal-III. However, the prayer was made that the application for restoration may not be dismissed by respondent No.1 on the ground of limitation.
3. Dismissed as withdrawn with liberty as aforesaid.

4. However, it is clarified that in case the petitioner files an application for restoration of S.A. No.642 of 2017 within seven days from today, the same shall not be dismissed by respondent No.1 on the ground of limitation and the same shall be decided on merits, in accordance with law.

(AJAY KUMAR MITTAL)  
JUDGE

August 9, 2018  
KD

(AVNEESH JHINGAN)  
JUDGE

Whether speaking / reasoned  
Whether Reportable

Yes / No  
Yes / No