

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-20423-2017

Date of Decision: January 10, 2018

M/s Shine Plastrochem and others

.....Petitioners

Versus

The Authorised Officer, Syndicate Bank

.....Respondent

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

- | | | |
|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Shiv Kumar, Advocate for the petitioners.

Mr.KPS Dhillon, Advocate for the respondent.

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SURYA KANT, J.

The petitioners have filed the present writ petition for quashing of the order dated 26.04.2017 (Annexure P-9) whereby the Debts Recovery Tribunal-II, Chandigarh dismissed their SA on a hyper technical ground that no Notice under Section 13(4) of the the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, has been issued to the petitioners so far.

[2] Learned counsel for the respondent fairly states that since the SA has not been decided on merits, let the matter be remitted to the Tribunal for afresh adjudication of the SA on merits and in accordance with law.

[3] The writ petition is accordingly allowed to the extent that the

Chandigarh, is set aside and the matter is remitted to the said Tribunal to decide the same on merits and in accordance with law.

[3] The parties are directed to appear before the Tribunal on 12.02.2018.

**(SURYA KANT)
JUDGE**

January 10, 2018

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**(SHEKHER DHAWAN)
JUDGE**

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

Yes/No

Yes/No