

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 22644 of 2017

Date of Decision: 22.01.2018

M/s GR Industries and Others

... Petitioner(s)

Versus

Debts Recovery Tribunal-III and Another

... Respondent(s)

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

Present: Mr. Manish Jain, Advocate
for the petitioner(s).

Mr. Sumit Batra, Advocate
for respondent No.2.

Surya Kant, J.

The petitioners are aggrieved by the order dated 21.09.2017 passed by the Debts Recovery Tribunal-III, U.T. Chandigarh, whereby their application for the refund of Rs.40,00,000/- was dismissed, which the petitioners had deposited with the Debts Recovery Tribunal in S.A. No. 135 of 2017 to show their bonafide that they are willing to pay off the dues of the bank. The said amount was kept in the “no lien account”.

It goes without saying that the above stated order is appealable before the Debts Recovery Appellate Tribunal. The question of legality of the above stated order, thus, can be effectively gone into by the Appellate Tribunal. The instant writ petition is accordingly disposed of relegating the petitioners to avail the above stated alternative remedy. Since the petitioners

on 4.10.2017, we request the Appellate Tribunal to consider their application for condonation of delay sympathetically and make an endeavour to decide the appeal on merits provided that the petitioners file the appeal within a period of three weeks from the date of receipt of a certified copy of this order.

(Surya Kant)
Judge

(Shekher Dhawan)
Judge

January 22, 2018
“DK”

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