

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 30069 of 2017 (O/M)
Date of decision : 2.1.2018

M/s Cosmas Research Lab. Ltd.

..... Petitioner

Versus

State Bank of India

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH
HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Anand Chhibbar, Senior Advocate, with,
Mr. Nitin Thatai, Advocate, for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

The petitioner, being aggrieved of the order dated 24.8.2017 (Annexure-P-6), passed by the Debts Recovery Tribunal-III, Chandigarh, closing right of petitioner to admission and denial of documents produced by the bank, had earlier approached this Court by way of filing CWP No. 28181 of 2017, titled as M/s Cosmas Research Lab Ltd. Versus State Bank of India. The same was disposed of by a Division Bench of this Court on 12.12.2017 (Annexure-P-9) with the observation that statutory appeal is maintainable before the Debts Recovery Appellate Tribunal (in short 'the Appellate Tribunal'). The said remedy was availed by the petitioner. The grouse of the petitioner is that now the case before the Appellate Tribunal stands adjourned for 19.1.2018 as the Appellate Tribunal was not holding the Court. The Appellate Tribunal is stated to have started working from today. The grouse of the petitioner is that the Presiding Officer of DRT-III, Chandigarh, is going to pass the final judgment on 3.1.2018.

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After hearing the learned senior counsel for the petitioner, we are of the view that since the Appellate Tribunal is seized of the matter, the petitioner is relegated to avail appropriate remedy of preponing the matter before the said Appellate Tribunal.

Disposed of.

Copy of this order be given to the learned counsel for petitioner, under the signatures of Bench Secretary of this Court.

(KULDIP SINGH)
JUDGE

(RAJBIR SEHRAWAT)
JUDGE

2.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No