

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.5827 of 2018.

Date of Decision: March 12, 2018

M/s Hotel Sky Inn, Hisar and othersPetitioners

versus

Debt Recovery Tribunal, Chandigarh-II and anotherRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.S.S.Mor, Advocate, for the petitioners.

Mr.Rakesh Gupta, Advocate, for respondent No.2-caveator.

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Surya Kant, J. (Oral)

Notice of motion.

Mr.Rakesh Gupta, Advocate, accepts notice on behalf of respondent No.2 who is on caveat.

In view of the nature of order which we propose to pass, it is not necessary to seek any counter-reply from the respondents at this stage.

The petitioners are aggrieved by the order dated 18.12.2017 passed by the Debts Recovery Tribunal-II, Chandigarh whereby they have been denied any further opportunity to file written statement in a recovery petition filed by the respondent-bank. The impugned order reveals that written statement was to be filed on 08.12.2017 but on that date, the Presiding Officer was on leave and the case was statedly adjourned to 18.12.2017. As no written statement was filed on that day, the Presiding Officer has passed the impugned order.

Having heard learned counsel for the parties, we are satisfied that the Presiding Officer has acted in haste to deny opportunity to the

aside. The petitioners are given one more opportunity to file written statement before 10.04.2018 with an advance copy to counsel for the respondent-bank.

The writ petition stands disposed of.

[SURYA KANT]
JUDGE

March 12, 2018
mohinder

[SHEKHER DHAWAN]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No