

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

CWP-9147-2018

Date of Decision: April 18, 2018

Prem Raj and anotherPetitioners
Versus
Debts Recovery Tribunal-II, Chandigarh and othersRespondents

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

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| 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.Atul Sharma, Advocate for the petitioners.

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SURYA KANT, J.

The petitioners are aggrieved by the order dated 02.02.2018 passed by Debts Recovery Tribunal-II, Chandigarh, whereby their application for rejection of the OA qua them has been turned down summarily.

[2] In our considered view the plea as to whether or not the petitioners are co-borrowers along with respondent Nos.3 to 5 is essentially a question of fact which will have to be decided by the Tribunal at the time of final adjudication and on consideration of the entire material on record. The petitioners, thus, would be at liberty to raise their plea before the Tribunal at an appropriate stage. The Tribunal is directed to decide the OA expeditiously.

**(SURYA KANT)
JUDGE**

April 18, 2018
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**(SHEKHER DHAWAN)
JUDGE**

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| 1. | Whether speaking/reasoned ? | Yes/No |
| 2. | Whether reportable ? | Yes/No |