

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-9737-2019

Date of Decision:26.08.2019

Naresh Thakur and another Petitioners

Vs.

Debts Recovery Tribunal-II, Chandigarh and another Respondents

**CORAM: HON’BLE MR.JUSTICE RAKESH KUMAR JAIN
HON’BLE MR.JUSTICE ARUN KUMAR TYAGI**

Present: - Mr.Avnish Mittal, Advocate, for the petitioners.
Mr.Nitin Grover, Advocate, for respondent No.2.

RAKESH KUMAR JAIN, J. (ORAL)

The only prayer made in this petition is for seeking a direction to respondent No.1 to decide the application for stay which is stated to be numbered as IA-120-2019 in SA-79-2018. Though there are zimini orders attached with the petition yet we could not find that the said application has ever been pressed or notice in the said application has been issued so far but learned counsel for the petitioners has submitted that once notice has been issued in SA-79-2018 then it is presumed that notice in IA-120-2019 has also been issued. All that has been prayed that a direction may be issued to respondent No.1 to decide the application for stay i.e. IA-120-2019 on the date already fixed i.e. 17.10.2019.

Learned counsel for respondent No.2 has not raised any objection in this regard.

Consequently, the present petition is disposed of with a direction to respondent No.1, who is allegedly seized of SA-79-2018 in which application for stay bearing IA-120-2019 is filed, to decide the same on the date already fixed i.e. 17.10.2019, by passing a speaking order.

**(RAKESH KUMAR JAIN)
JUDGE**

**(ARUN KUMAR TYAGI)
JUDGE**

26.08.2019

Vivek