

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

CWP No. 23425 of 2019

Date of Decision: 30.08.2019

M/S GIRNAR IMPEX LIMITED

..... Petitioner

V/s.
PRESIDING OFFICER, DEBTS RECOVERY TRIBUNAL-III,
CHANDIGARH

..... Respondents

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

Present: Mr. Sahil Khunger, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (Oral)

Learned counsel for the petitioner has submitted that the petitioner had filed a securitization application bearing SA No. 671 of 2017 before the Debt Recovery Tribunal-III, Chandigarh which was dismissed for non-prosecution on 02.03.2019. The petitioner has filed an MA No. 37/19 for restoration of the said securitization application which has also been dismissed vide impugned order dated 11.07.2019.

We have heard learned counsel for the petitioner and after examining the record, are of the considered opinion that the petitioner has the remedy of appeal under the Statute against the order passed by the Debt Recovery Tribunal.

Faced with these observations, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to file appeal under the Statute in accordance with law.

Dismissed as withdrawn.

Liberty granted.

[RAKESH KUMAR JAIN]
JUDGE

August 30, 2019

Ess Kay

[ARUN KUMAR TYAGI]
JUDGE

Whether speaking / reasoned : **Yes / No**

Whether Reportable : **Yes / No**