

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

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**CWP-33564-2019 (O&M)
Date of Decision : 20.11.2019**

Ajneet Singh Ghumman

... Petitioner

Versus

The Presiding Officer, Debts Recovery Tribunal-III, Chandigarh and
others

...Respondents

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CWP-33634-2019 (O&M)

Jaswinderpal Singh

... Petitioner

Versus

The Presiding Officer, Debts Recovery Tribunal-III, Chandigarh and
others

.... Respondents

**CORAM:HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Vikram Singh, Advocate for the petitioner.

Mr. Rakesh Gupta, Advocate for respondents No.3 and 4.

RAKESH KUMAR JAIN, J.(ORAL)

This order shall dispose of two petitions bearing CWP No.
33564 of 2019, *Ajneet Singh Ghumman Versus The Presiding*

Officer, Debts Recovery Tribunal-III, Chandigarh and others and CWP No. 33634 of 2019, ***Jaswinderpal Singh versus The Presiding Officer, Debts Recovery Tribunal-III, Chandigarh and others*** as the issues involved in both the petitions are common. However, for the sake of convenience, the facts are being extracted from the writ petition No. 33564 of 2019.

Shorn off unnecessary details, after the decree of the original application filed by respondents No.3 and 4-Bank, for the stay of recovery, the petitioner has approached this court with the prayer that the petitioner is ready and willing to pay the entire amount as per the recovery certificate. He has given his payment plan as under:-

- ₹10 Lacs within a period of 10 days from the date of passing of this order.
- ₹5 lacs on or before 31.12.2019 and the remaining amount be paid up to 30.04.2020.

Learned counsel for respondents No.3 and 4-Bank has accepted the proposal but with the rider that in case, the petitioner fails to make the payment of any of the installment as undertaken, the amount paid by the petitioner shall be forfeited and the recovery proceedings would be initiated. Counsel for the petitioner has not raised any objection in this regard and consequently, both the petitions are hereby disposed of in terms of the undertaking given by the petitioner which has been noticed hereinabove.

Needless to mention that in case, the petitioner fails to abide by his undertaking with regard to the payment of first

installment of ₹10 Lacs within a period of 10 days from the date of passing of this order, respondents shall be entitled to file appropriate proceedings muchless a petition under the provision of the Contempt of Courts Act, 1971 as it would tantamount to the violation of the undertaking and as a consequence, the recovery of the amount due against the petitioner shall not be effected by the Recovery Officer.

(RAKESH KUMAR JAIN)
JUDGE

(SUVIR SEHGAL)
JUDGE

20.11.2019
pooja saini

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No