

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

CWP-38129-2018

Date of Decision: 05.12.2019

HELIOS PHOTO VOLTAIC LTD

...Petitioner

Versus

ORIENTAL BANK OF COMMERCE

...Respondent

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Munish Jain, Advocate
for the petitioner.

Mr. Anil K. Ahuja, Advocate
for the respondent.

RAKESH KUMAR JAIN, J. (ORAL)

The only grievance of the petitioner is that he has been declared a willful defaulter without affording an opportunity of hearing.

Counsel appearing on behalf of petitioner submits that order by which the petitioner was declared willful defaulter be set aside and the matter may be remanded back to the competent Authority to decide again after providing an opportunity of hearing. Counsel for the respondent has not raised any objection.

Thus, order dated 08.11.2018 and 10.12.2018 are hereby set aside and the matter is remanded back to the competent authority to decide as to whether the petitioner is liable to be declared as a willful defaulter after affording the relevant documents and opportunity of hearing.

**(RAKESH KUMAR JAIN)
JUDGE**

**(ASHOK KUMAR VERMA)
JUDGE**

5.12.2019
Mehak Huria

Whether reasoned/ speaking
Whether reportable

Yes/No
Yes/No