

Sr. No. 217

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

CWP-25989-2018(O&M)

Date of decision:18.11.2019

Harjinder Kaur and others

.....Petitioners

versus

Authorised Officer ING Vysya Bank Ltd. and others

.....Respondents

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

Present: Mr. D.K.Singal, Advocate
for the petitioner(s).

Mr. Vivek Sethi, Advocate
for respondent No.1.

Mr. Vaibhav Narang, Advocate
for respondents No. 3 to 5.

Rakesh Kumar Jain, J(Oral)

This petition is directed against the order dated 23.08.2018 (Annexure P-1) by which Debts Recovery Appellate Tribunal, Delhi has declined to entertain the appeal without pre deposit of 50% of the amount demanded by the bank in its notice issued under Section 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

The petitioners were granted time to deposit the amount within a period of four weeks.

Learned counsel for the respondents has submitted that this petition has become infructuous at this stage because the appeal itself has been dismissed because of non-compliance of the order dated 23.08.2018 (Annexure P-1).

In view of the aforesaid circumstances, present petition is
dismissed as infructuous.

However, liberty is granted to the petitioners to challenge the
present order as well as the final order passed by the Debt Recovery
Appellate Tribunal, Delhi.

[Rakesh Kumar Jain]
Judge

18th November, 2019
Shivani Kaushik

[Suvir Sehgal]
Judge

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*