

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-650-2020

Date of decision : 10.01.2020

Rajinder Dhiman

... Petitioner

Versus

HDFC Bank Ltd. and others

... Respondents

***CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU***

Present: Mr.Sanjeev Sharma, Senior Advocate with
Mr.Mandeep Singh, Advocate
for the petitioner.

Mr.Manish Jain, Advocate with
Mr.Mayur Kanwar, Advocate
for the respondent-caveator.

RAJIV SHARMA, J.(ORAL)

The sequence of brief facts is that the respondent-bank has filed writ petition bearing CWP no.19554 of 2018 which was allowed on 10.07.2019. The petitioner filed SLP against the judgment dated 10.07.2019. The Hon'ble Supreme Court vide order dated 27.09.2019 relegated the petitioner to approach the Debts Recovery Tribunal. The Debts Recovery Tribunal passed the order dated 19.12.2019 by specifically holding that the petitioner was not the bonafide tenant. Thereafter, the petitioner filed an application on 23.12.2019 seeking more time for vacation of property.

A specific finding has been recorded by the Debts Recovery Tribunal that the petitioner is not a bonafide tenant. The only prayer made

by the petitioner is that the period for ejectment be enlarged. However, we are of the considered view that once the petitioner has not been found bonafide tenant, the period cannot be enlarged for ejectment.

Accordingly, there is no merit in the petition and the same is dismissed.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

January 10, 2020.
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No