

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.19911 of 2020

Date of Decision:-24.11.2020

Minakshi Khippal & Anr.

.....Petitioners.

Versus

**Debt Recovery Tribunal-II, Sector 17, Chandigarh through its
Registrar & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present:- Mr. Preetwinder Singh Dhaliwal, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

*[The aforesaid presence is being recorded through video conferencing since the
proceedings are being conducted in virtual court]*

Petitioners are the defaulter borrowers of a term loan amount raised from AXIS Bank-respondent no.2 and are aggrieved by an order dated 10.11.2020 (P-20) passed by DRT-I, Chandigarh whereby their Securitisation Application filed under Section 17 of the SARFAESI Act challenging the notice issued by the secured creditor-Bank under Section 13(4) of the SARFAESI Act has been dismissed on the ground of delay of 42 days and thus time barred.

The claim set up before us is that the time has spent in pursuing the remedy before this Court by way of a writ bearing CWP No.2912 of 2015 has to be condoned in view of the provisions of Section 14 of the

At the time of hearing, learned Counsel conceding that against the impugned order a remedy before the Debt Recovery Appellate Tribunal(DRAT) is available prays for permission to withdrawn the present writ petition to avail remedy in accordance with law.

Dismissed as withdrawn with aforesaid liberty.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

November 24, 2020
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No