

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

**112** (Proceedings through V.C)

**CWP-22299-2020**

**Date of decision 22.12.2020**

HDFC BANK LIMITED

.....Petitioner

**VERSUS**

PUNJAB NATIONAL BANK AND OTHERS .....Respondents

**CORAM : HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH  
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

**PRESENT:-** Mr.Manish Jain, Advocate, for the petitioner.

Mr.Gaurav Goyal, Advocate, for the respondents.

**AUGUSTINE GEORGE MASIH, J. (ORAL)**

On perusal of the writ petition, what transpires is that the petitioner effectively wants the setting aside of the order dated 01.02.2020 (Annexure P-2) vide which the Debt Recovery Tribunal-II, Chandigarh, has made an observation that the dispute between the Bank interse is beyond the preview of the Tribunal on the basis of the order passed by the DRAT, Delhi and the matter has to be decided by the High Court. Petitioner asserts the said order is not in consonance with the provisions of SARFAESI Act, 2002. If that be so, the petitioner needs to challenge the said order.

At this stage, counsel for the petitioner prays for withdrawal of the writ petition with liberty to file a fresh one on the same cause of action by challenging the order dated 01.02.2020 (Annexure P-2) passed by the Debt Recovery Tribunal-II, Chandigarh.

Prayer made by the counsel for the petitioner is accepted and the writ petition is permitted to be withdrawn with liberty as prayed for.

**(AUGUSTINE GEORGE MASIH)  
JUDGE**

**(RAJESH BHARDWAJ)  
JUDGE**

**22.12.2020**

**anil**

|                                    |               |
|------------------------------------|---------------|
| <i>Whether speaking/reasoned :</i> | <i>Yes/No</i> |
| <i>Whether reportable</i>          | <i>Yes/No</i> |