

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-14105-CWP-2020 in
CWP-3043-2020 (O & M)
Date of decision: 08.03.2021

Des Raj Rice Mill

.... Petitioner

V/s

Punjab National Bank and anr.

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present: Mr. Ivneet Singh Pabla, Advocate, for the petitioner.

Mr. R. S. Bhatia, Advocate, for respondent No.1.

Rajan Gupta, J. (Oral

Case has been heard through Video Conferencing in view of
COVID-19 pandemic.

Application (CM-14105-CWP-2020) is for vacation of stay
order. The main case is also listed for hearing today. We, thus, intend to
dispose it of.

On a query being put to Mr. Bhatia whether Debt Recovery
Tribunal (DRT) is functioning, his answer is in affirmative. As the petitioner
has impugned notice under Section 13 (4) of the SARFAESI Act, we have
no hesitation in holding that the matter squarely falls within the jurisdiction
of the DRT.

Faced with this situation, learned counsel for the petitioner has
prayed that he may be allowed to withdraw the present petition with liberty

**CM-14105-CWP-2020 in
CWP-3043-2020 (O & M)**

::2::

to approach the said Forum. He, however, submits that he may be protected for some time.

Dismissed as withdrawn with aforesaid liberty subject to issue of limitation, if any.

Status quo be maintained for a period of 10 days from today.

**(RAJAN GUPTA)
JUDGE**

**(KARAMJIT SINGH)
JUDGE**

March 08, 2021
sukhpreet

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