

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

111+213

CM Nos.2655, 2664-CWP-2021,
CM Nos.11399, 11402-CWP-2020 and
Civil Writ Petition No.5916 of 2020

Date of Decision: February 19th, 2021

M/s Ruby Khad Store

...Petitioner

Versus

Central Bank of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. Harjot Singh Bedi, Advocate
for the applicant-petitioner.

Mr. Gaurav Goel, Advocate
for respondent No.1.

Mr. Vipin Mahajan, Advocate
for the applicant-respondent No.5.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.2655-CWP-2021

Prayer in this application is for placing on record documents
Annexures P-8 to P-10.

Application is allowed subject to just exceptions.

Documents Annexures P-8 to P-10 are taken on record.

CM No.2664-CWP-2021

Prayer in this application is for placing on record the reply to the
application for vacation of stay as well as the replication.

Application is allowed subject to just exceptions.

Reply to the application for vacation of stay as well as replication
filed by the petitioner are taken on record.

CM No.11399-CWP-2020

Prayer in this application is for placing on record written statement along with Annexures R-3/1 to R-3/4 and exemption from filing certified and true typed copy of the same.

Application is allowed subject to just exceptions.

Written statement along with Annexures R-3/1 to R-3/4 is taken on record.

Exemption, as prayed for, is granted.

CWP No.5916 of 2020

Learned counsel for the petitioner, after arguing for some time, prays for withdrawal of the present writ petition to avail of the alternative remedy as provided under Section 17 of the SARFAESI Act. He states that he would approach the Debts Recovery Tribunal, Chandigarh Bench, within a period of one week.

On approach of the petitioner to the Debts Recovery Tribunal within one week from today, objections, if any, raised by the registry, will be cleared by the petitioner within a period of one week. The interim order as is operational in the present writ petition shall continue till the date of first hearing of the petition before the D.R.T. Thereafter it would be open to the said Tribunal to proceed in accordance with law.

It is, clarified here that in case the petitioner fails to approach the D.R.T. within one week from today or remove the objections, if any, raised by the registry, within one week thereafter, the above interim order shall cease to operate.

In view of the above, the present petition is disposed of as withdrawn with liberty aforesaid.

In the light of the withdrawal of the writ petition,
CM No.11402 of 2020 stands disposed of as infructuous.

(AUGUSTINE GEORGE MASIH)
JUDGE

February 19th, 2021
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No