

M/S NEW DHIR TRADERS AND ANOTHER V/S DEBT RECOVERY
TRIBUNAL-III, CHANDIGARH AND ANOTHER

Present:- Mr. Saurabh Kaushik, Advocate for the applicant- petitioners.

RA-CW-280-2021

This application has been filed seeking review of the order dt.30.9.2021 passed by a coordinate Bench of this Court in CWP-19794-2021.

By the said order, the Division Bench had refused to interfere with an order passed on 3.8.2021 by the Debts Recovery Tribunal, Chandigarh dismissing the petitioner's application to settle dispute as per the guidelines/policies for OTS of the respondent No. 2-Bank. The DRT had rejected the request of the petitioners observing that three times OTS was extended to them, but they could not pay the outstanding amount as per the said OTS. This Court held that the said order of the DRT did not suffer from any error or patent illegality warranting interference by this Court in exercising of its jurisdiction under Article 226 of the Constitution of India particularly when the OTS stood cancelled on account of failure of the petitioners to pay the remaining amount to respondent No. 2-Bank within the time specified.

Though counsel for the review petitioners sought to contend that in a different case this Court had granted extensions beyond the three times granted to the petitioners in this case, in our considered opinion, the said order cannot be a ground to review the order passed by this Court on 30.9.2021 in CWP-19794-2021. The borrower cannot claim unlimited

right to claim extension, and this Court cannot be compelled to grant such reliefs sought by the borrowers. Therefore, we do not find any error apparent on the face of the record in the order dt. 30.9.2021.

The review application is dismissed accordingly.

(M.S. Ramachandra Rao)
Judge

(H.S. Madaan)
Judge

13.05.2022
P.Singh