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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

127-1

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Decided on : 09.11.2023

M/s B.R. Industries and others

. . . Petitioner(s)

Versus

HDFC Bank

. . . Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Mr. Adarsh Jain, Advocate
for the petitioner(s).

SANJAY VASHISTH, J. (Oral)

1. On the issue of maintainability of present revision petition, and on asking of the Court, Mr. Adarsh Jain, learned counsel for the petitioners, for the purpose of assistance of this Court has produced the judgment passed by the Hon'ble Madras High Court in **P. Shafeeq Ahmed and others v. State Bank of India and others, 2018(5) CTC 601 : Law Finder Doc ID #1238737**, as well as of this Court (Punjab and Haryana High Court) in **Sandeep Singh Sandhu v. Debt Recovery Tribunal, 1998 ISJ (Banking) 655 : Law Finder Doc Id #145797**.

In the aforesaid judgments, it has been held that against the order passed by the Debts Recovery Tribunal (DRT), revision petition or writ petitions, would not be maintainable, because, any such order is assailable in appeal under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act, 2002').

2. Faced with this situation, learned counsel for the petitioners, seeks withdrawal of present revision petition with liberty to approach the

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appropriate forum for filing appeal, as per law.

3. Dismissed as withdrawn with liberty as aforementioned.

Needless to say that application, if any, filed by the petitioners in regard to condonation of delay, on account of approaching to the wrong forum, would be dealt with as per law.

(SANJAY VASHISTH)
JUDGE

November 09, 2023

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*