

115 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24728-2023(O&M)

Date of Decision: 03.11.2023

HDFC Bank

..... Petitioner

Versus

Debt Recovery Tribunal-II, Sector 17,
Chandigarh and others

..... Respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Amit Rishi, Advocate for the petitioner.

LISA GILL, J (ORAL)

1. Prayer in this writ petition is for setting aside order dated 10.10.2023 (Annexure P-4) passed by learned Debt Recovery Tribunal-II, Chandigarh whereby petitioner's application seeking condonation of delay of 202 days in filing the application for restoration of OA dismissed in default on 29.09.2022, was allowed subject to payment of Rs. 40,000/- as costs. It is pleaded that firstly the reason for dismissing the application is unjustified moreover, imposition of costs is not warranted.

2. Learned counsel for the petitioner very fairly states that matter was listed before learned Debt Recovery Tribunal-II today itself for payment of costs and further proceedings. The OA already stands dismissed today by learned Debt Recovery Tribunal on account of non-deposit of costs.

3. In this view of the matter, present writ petition, in any case is, rendered infructuous and is disposed of accordingly with liberty to the

petitioner to avail the statutory remedy available to it in accordance with law.

4. Pending miscellaneous applications, if any, stand disposed of accordingly.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

November 03, 2023
sunita

Whether speaking/non speaking	Yes/No
Whether reportable/non reportable	Yes/No