

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6167-2024

Date of Decision: 02.04.2024

Bhupender Singh

..... Petitioner

Versus

Debts Recovery Tribunal-II and Ors.

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. S.D.Bansal, Advocate for petitioner.

LISA GILL, J. (Oral)

1. Prayer in this writ petition is for setting aside order dated 03.01.2024 passed in IA No.2088 of 2023 and MA No.283 of 2023 passed by learned Debts Recovery Tribunal-II, Chandigarh (DRT-II).

2. SA No.58 of 2021 filed by petitioner was dismissed in default on 10.01.2023. MA No.16 of 2023 was filed by petitioner which was dismissed being not maintainable by learned DRT-II, Chandigarh on 31.01.2023 on the ground that it fell foul of Order 6 Rule 14 of CPC. Liberty was however, granted to petitioner to file MA within 14 days from said date. Subsequent MA filed by the petitioner was dismissed by learned DRT-II, Chandigarh on 03.01.2024 which is the subject matter of challenge before us.

3. Admittedly order dated 03.01.2024 is an appealable order. In the given facts and circumstances, we do not find any ground for interference in exercise of jurisdiction under Article 226 of the Constitution of India.
4. At this stage, this writ petition is dismissed with liberty to petitioner to avail statutory remedy(ies) available to him in accordance with law. The time consumed before this Court may be excluded. There is no expression of opinion on the merits of the matter.
5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

02.04.2024

Sunil Devi

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No