

CWP-25966-2024

2024.PHHC.132307-DB



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

CWP-25966-2024

Date of Decision: October 04, 2024

Jasmer Singh

..... Petitioner

Versus

Union Bank of India and others

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE SUKHVINDER KAUR**

Present: Mr. Rohit Suri, Advocate for the petitioner.

Mr. Gaurav Goel, Advocate for respondent – Bank (through VC).

LISA GILL, J.

1. Petitioner in this writ petition has challenged proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) initiated against him. It is submitted that review application dated 05.09.2024 (Annexure P17) stands filed before learned DRT, however, as DRT-II is not functional since 14.08.2024, therefore, filing of present writ petition has been necessitated.

2. At this stage, we take note of order dated 30.09.2024 passed in CWP Nos. 25240 and 25295 of 2024, relevant part of which reads as under:-

“ At this stage, we take note of the piquant situation which has arisen due to non-functioning of learned DRT-II leading to a flood

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of writ petitions by adversely affected parties before this Court with no timeline available to indicate when learned DRT-II shall become functional. In the peculiar circumstances as above and in order to obviate unnecessary delays and difficulties to affected litigants, it is directed that earlier arrangement where additional charge of learned DRT-II had been given to DRT-I shall continue till the next date of hearing or any decision taken by Cabinet Committee for Appointments, whichever is earlier.”

3. Keeping in view the above, no ground is made out for interference by this Court, at this stage.

4. Writ petition is, accordingly, disposed of with liberty to petitioner to pursue the Review application filed in SA-295-2017 and raise all pleas available to him before the said Forum in accordance with law.

(LISA GILL)
JUDGE

October 04, 2024
Rts

(SUKHVINDER KAUR)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No