

CWP-26024-2024

2024:PHHC:132344-DB



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

CWP-26024-2024
Date of Decision: October 04, 2024

Ranjeet Singh and another Petitioners

Versus

JM Financial Assets Reconstructions Company Limited
..... Respondents

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

Present: Mr. Aditya Partap, Advocate for the petitioners.

LISA GILL, J.

1. Petitioners in this writ petition challenge proceedings under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) initiated against them.
2. It is submitted that petitioners have also filed SA No.1945 of 2024 which is pending adjudication before learned DRT-II. Filing of this writ petition has been necessitated due to learned DRT-II being non-functional since 14.08.2024. SA filed by petitioners, it is stated, is hanging fire without any consideration/adjudication.
3. 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:-

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“ 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 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.”

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

5. Writ petition is, accordingly, disposed of with liberty to petitioners to pursue SA No.1945 of 2024 pending before learned DRT-II and raise all pleas available to them before the said Forum.

(LISA GILL)
JUDGE

October 04, 2024
Rts

(SUKHVINDER KAUR)
JUDGE

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