



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

119

CWP-5167-2025.

Date of Decision: 24.02.2025.

Ruchi Nawani

....Petitioner.

VERSUS

Indian Bank and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Vikram Pundir, Advocate for
Mr. Ashish Grewal, Advocate for the petitioner.

Mr. Gaurav Goel, Advocate for respondent-Bank.

ANUPINDER SINGH GREWAL, J. (Oral)

Learned counsel for the petitioner submits that the petitioner has preferred a Securitization Application No.659/2024 which is pending adjudication before the DRT-II. However, the same is not being listed due to non-functioning of DRT-II. He submits that petitioner may be protected till the DRT-II resumes its functioning.

2. Heard.

3. It is settled law that the petitioner cannot be left remediless especially when the same has been provided by a Statute. We also draw our support from the order of the Supreme Court dated 16.12.2021 in the case of **‘State Bar Council of Madhya Pradesh Vs. Union of India’** Special Leave Petition (C) No.10911/2021. Relevant extract is reproduced hereinbelow:-

“13. With a view to resolve the problem being faced by the parties, for the time being and purely as a stopgap arrangement, we request the concerned High Court(s) to entertain the matters falling within the jurisdiction of DRTs and DRATs under Article 226 of the Constitution of India, till further orders.

14. We make it clear that once the Tribunal(s) is/are constituted, the matters can be relegated to the Tribunals by the High Court(s).”

4. As DRT-II is stated to be non-functional, it would be in the interest of justice, if the petitioner is protected for some time till the DRT-II resumes its functioning.

5. The petition is disposed of with a direction that no coercive measures shall be taken against the petitioner for a period of 15 days after the DRT-II resumes its functioning.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

24.02.2025
jitender

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No