
(2021) 12 UK CK 0298

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2873 Of 2021

Sanjay Singh Sajwan & Another

APPELLANT

Vs

Punjab National Bank

RESPONDENT

Date of Decision : 30-12-2021

Acts Referred:

Citation : (2021) 12 UK CK 0298

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Shikhar Kacker, V.K. Kohli, Kanti Ram Sharma

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. Petitioners took a business loan from Punjab National Bank. Since petitioners committed default in repayment thereof, therefore, the lending bank

has initiated recovery proceedings against petitioners under Securitization and Reconstruction of Financial Assets and Enforcement of Security

Interest Act, 2002.

2. In this writ petition, petitioners have challenged the possession notice issued on 22.12.2021.

3. Learned counsel for the petitioners submits that there is no Presiding Officer posted in Debts Recovery Tribunal, Dehradun and Presiding Officer,

Debts Recovery Tribunal, Lucknow was given additional charge only till 31.12.2021. He further submits that Presiding Officer, Debts Recovery

Tribunal, Lucknow has also proceeded on leave from 22.12.2021 to 31.12.2021, therefore, Debts Recovery Tribunal, Dehradun is virtually non-

functional. He further submits that petitioners will file Securitization Application

in the Registry of Debts Recovery Tribunal, Dehradun on or before

05.01.2022 and some limited protection be given to petitioners till 15.01.2022.

4. Having regard to the facts and circumstances of the case, the writ petition is disposed of with liberty to petitioners to approach Debts Recovery

Tribunal, Dehradun, by filing Securitization Application, on or before 05.01.2022.

5. Till disposal of petitionersâ?? interim relief application or 15.01.2022, whichever is earlier, no coercive action shall be taken against the petitioners.

6. Let a certified copy of this order be issued today itself.