IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

116 **CWP-4745-2025 (O&M)**
Date of Decision: 19.02.2025.

M/s SR Commission Agent and another ....Petitioners.

VERSUS

Central Bank of India ....Respondent.

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CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Keshav Chadha, Advocate;
Ms. Ridhi Bansal, Advocate;
Ms. Sidhi Bansal, Advocate;
Mr. Parikshit Thakur, Advocate for the petitioners.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Dheeraj Jain, Senior Panel Counsel for Union of India.

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ANUPINDER SINGH GREWAL, J. (Oral)

Learned counsel for the petitioners submits that the petitioners have preferred a Securitization Application bearing Diary No.422/2025 which is pending adjudication before the DRT-II. However, the same is not being listed due to non-functioning of DRT-II. She submits that petitioners may be protected till the DRT-II resumes its functioning.

2. Issue notice to the respondent.

3. Mr. Naman Jain, Advocate has put in appearance and accepts notice on behalf of the respondent-Bank.

4. Heard.

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5. It is settled law that the petitioners 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)."*

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

7. At this juncture, Mr. Satyapal Jain, learned Additional Solicitor General of India submits that the proposal for extending the additional charge of DRT-II to DRT-I has been sent to the Appointments Committee of the Cabinet (ACC).

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

(ANUPINDER SINGH GREWAL)
JUDGE

(SUMEET GOEL)
JUDGE

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

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