

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 1852 of 2006

Date of decision: 31.08.2007

Kulwant Kaur

.....Petitioner

Versus

Debts Recovery Tribunal, Chandigarh and others

.....Respondents

**Coram: Hon'ble Mr. Justice M.M.Kumar
Hon'ble Mr. Justice Ajay Kumar Mittal**

Present: Mr. H.C.Arora, Advocate,
for the petitioner.

Ms. Ritu Bahri, DAG, Haryana.

Mr. A.K.Bansal, Advocate,
for respondent No. 3

Mr. Vinod Verma, Advocate,
for respondent No. 4.

M.M.Kumar, J.

Learned counsel for the petitioner has requested for the withdrawal of the writ petition with liberty to move an appropriate application challenging order dated 01.02.2006 passed by Assistant Registrar, Debts Recovery Tribunal, Chandigarh directing the petitioner to remove the objection regarding court fee as per Rule 7 (2) of the Debts Recovery Tribunal (Procedure) Rules, 1993. He has further pointed out that vide order dated 07.02.2006 passed by this Court, the petitioner was asked to remove the objection raised by the Registry of the Tribunal and has clarified that deposit of any court fee would be subject to final orders in this case.

In view of the above, we accept the request made by learned counsel and allow the withdrawal of the writ petition with liberty to the petitioner to file an appropriate application challenging the abovesaid order

so as to avail remedy against the aforementioned order as provided by the Debts Recovery Tribunal (Procedure) Rules, 1993.

The Tribunal shall not reject the application merely on the ground of delay and any application seeking condonation of delay shall be considered sympathetically by taking in view the fact that the writ petition has remained pending before this Court.

(M.M.KUMAR)
JUDGE

(AJAY KUMAR MITTAL)
JUDGE

August 31, 2007
pj