

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

CIMA No.196/2017, MP No.1/2017

Date of order: 31.10.2017

M/S Shri Krishan Motors & Anr.

V.

State Bank of India

Coram:

Hon'ble Mr. Justice Alok Aradhe, Judge

Hon'ble Mr. Justice Tashi Rabstan, Judge

Appearing counsel:

For Petitioner/appellant(s) : Mr. Anil Sethi, Advocate.

For respondent (s) : Mr. Parveen Kapahi, Advocate.

This appeal has been filed against the order dated 21.04.2017 passed by the learned Additional District Judge, Jammu, in appeal filed under Section 17 (Section 17-A) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act).

This Court vide order dated 11.08.2017 has granted four weeks' time to appellants to deposit a sum of 25 per cent of the amount of debt which was due to the appellants. It was also directed that the appellants shall also deposit the Court fee within the same time limit. Thereafter, again on 28.09.2017 two weeks' further time was granted to the appellants to deposit the amount positively. However, when the matter was taken up today, learned counsel for the appellants submitted that the appellants do not have the sufficient means to comply with the order dated 11.08.2017 (supra) passed by this Court.

In the circumstances, we have no alternative but to dismiss the appeal preferred by the appellants.

(Tashi Rabstan)
Judge

(Alok Aradhe)
Judge

Jammu
31.10.2017
Surinder