

S U P R E M E

C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petitions for Special Leave to Appeal (Civil) Nos.22808-
22809/2010

(From the judgments and orders dated 18/09/2008 in CWP
No.11742/2007 and dated 21/08/2009 in RA No.161/2009 in CWP
No.11742/2007 of The HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH)

UNION OF INDIA & ORS.

Petitioner(s)

VERSUS

DEBTS RECOVERY TRIBUNAL BAR ASN.& ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date: 17/11/2011 These Petitions were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE H.L. DATTU

Mr. Rajeeve Mehra, Sr. Adv. (A.C.)

For Petitioner(s)

Mr. Vivek Tankha, ASG
Mr. Rishab Sanchati, Adv.
Ms. Rashmi Malhotra, Adv.
Mr. Shreekant N. Terdal, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Further time is sought on behalf of the
Union of India to file an affidavit to bring on
record various decisions taken by the Government
on the issues raised in these proceedings
regarding the functioning of the Debts Recovery
Appellate Tribunals and Debts Recovery Tribunals.
We grant further three weeks' time for the said
purpose.

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We direct that along with the affidavit,
the studies, stated to have been conducted to
ascertain the space requirement of the said
Tribunals shall also be filed. Before the next

date, we would also like to have the views of the Government, by means of an affidavit as to the criteria being adopted for appointment of the Presiding Officers, Recovery Officers and other staff of the said Tribunals. Copies of the relevant Rules/Instructions/Circulars, issued in this behalf shall also be placed on record.

We are issuing the latter direction because it has been brought to our notice by the learned Amicus Curiae that recently some bank officials have been appointed as the Presiding Officers and the Recovery Officers. At this juncture, we have no reason to believe that while making such appointments the Department concerned would not have ignored the parameters laid by a constitution Bench of this Court in the case of Union of India versus R. Gandhi, President, Madras Bar Association [(2010) 11 SCC 1] for making appointments to quasi-judicial bodies.

Call the matter on 14th December, 2011 at 3.00 p.m.

(VINOD LAKHINA)	(KUSUM GULATI)
Court Master	Court Master