

Court No. - 6

Case :- WRIT - C No. - 29112 of 2023

Petitioner :- Mamta Keshary

Respondent :- Debt Recovery Tribunal And 3 Others

Counsel for Petitioner :- Udai Chandani

Counsel for Respondent :- Anadi Krishna Narayana

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Mr. Kaif Mohammad, Advocate holding brief of Mr. Udai Chandani, learned counsel for the petitioner and Anadi Krishna Narayana, learned Standing Counsel for the respondent nos.3&4.

This writ petition has been filed by the petitioner with a prayer to direct the respondent no.1 to decide the Securitization Application No.38 of 2011 (Panchmukhi Pvt. Ltd. vs. Bank of Baroda & others), under Section 17(1) of the Securitization of Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 within stipulated period.

Learned counsel for the petitioner submits that the Securitization Application bearing No.38 of 2011 has been filed by the petitioner, under Section 17(1) of the Securitization of Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the respondent no.1, but no decision has been taken till date. Therefore, a direction may be issued to respondent no.2 to decide the appeal of the petitioner within stipulated period.

Learned Standing Counsel does not dispute the aforesaid.

Counsel for the parties agree that the writ petition may be disposed of finally at this stage without calling for a counter affidavit specifically in view of the order proposed to be passed today.

In view of the aforesaid, without going into the merits of the case of the petitioner, this writ petition stands ***disposed of*** with a direction to the respondent no.2, i.e. Debt Recovery Tribunal, Allahabad Bench, Allahabad to decide the Securitization Application No.38 of 2011 (Panchmukhi Pvt. Ltd. vs. Bank of Baroda & others), on its own merit, preferably within a period of three months from the date of production of certified copy of this order.

It is made clear that this Court has not examined the merits of the case of the petitioner and the authority concerned shall apply its own mind strictly in accordance with law.

Order Date :- 18.10.2023

Jitendra/-