

Court No. - 3

Case :- WRIT - C No. - 35221 of 2023

Petitioner :- Surya Prakash Yadav @ Suray Prakash Yadav And Another

Respondent :- Authorized Officer, Bank Of Baroda And Another

Counsel for Petitioner :- Shashi Bhushan Mishra

Counsel for Respondent :- Anadi Krishna Narayana

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

1. This writ petition has been filed by the auction purchaser. The case of the petitioner is that he has purchased the property in an auction sale on 6.4.2021 but the possession of the property was not being given to the petitioners.

2. Sri P.K. Srivastava, learned counsel appearing for the Bank states that the borrowers had approached the Debts Recovery Tribunal and when they were unsuccessful there, they approached the Debts Recovery Appellate Tribunal by filing an appeal being Appeal No.107 of 2021 which was pending. He further states that the Bank at the Debts Recovery Appellate Tribunal had made a statement on 29.6.2021 that the possession of the property would not be taken from the borrowers during the pendency of the appeal.

3. Learned counsel appearing for the petitioners in response to this argument of the Bank has prayed that an order be passed that the appeal itself be decided expeditiously.

4. Under such circumstances, considering the fact that the petitioners are suffering, we direct that the Debts Recovery

Appellate Tribunal may decide the Appeal No.107 of 2021 within a period of two months from the date of presentation of a certified copy of this order.

5. With these observations, the writ petition stands disposed of.

Order Date :- 12.12.2023

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(Shekhar B. Saraf, J.)

(Siddhartha Varma, J.)