

Court No. - 6

Case :- WRIT - C No. - 38830 of 2023

Petitioner :- Smt. Shahsi Agrawal

Respondent :- Debt Recovery Tribunal Allahabad And Another

Counsel for Petitioner :- Brijesh Kumar Kesharwani

Counsel for Respondent :- Amit Shukla

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard learned counsel for the petitioner and learned counsel for the respondents.

This writ petition has been filed by the petitioner with a prayer to direct the respondent no.1 to decide the Securitization Application No.157 of 2022 (Smt. Shashi Agrawal vs. Authorized Officer Kotak Mahindra Bank).

An objection has been raised by Mr. Amit Shukla, learned counsel for the respondent no.2 that there is an alternative remedy of moving an application under Section 17(a) of the SARFAESI Act, however, he has no objection in case a direction is issued.

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.1, i.e. Debt Recovery Tribunal Allahabad to decide the Securitization Application No.157 of 2022 (Smt. Shashi Agrawal vs. Authorized Officer Kotak Mahindra Bank), on its own merit, preferably within a period of six months from the date of production of certified copy of this order, without granting any unnecessary adjournments to either of the parties and if any adjournment is sought by the petitioner, the same shall be granted after imposing cost of Rs.5,000/- upon him with a direction to deposit the same before the next date fixed in the matter.

Order Date :- 5.12.2023

Jitendra/-