

Court No. - 3

Case :- WRIT - C No. - 8374 of 2023

Petitioner :- Hero Housing Finance Ltd. New Delhi Thru.
Authorised Signatory Mr. Pankaj Kumar Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Home Civil
Secrt. Lko. And Others

Counsel for Petitioner :- Ritesh Goel,Aasif Razzaque
Khan,Apurva Saxena

Counsel for Respondent :- C.S.C.,Sudeep Kumar

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Supplementary affidavit filed today by learned counsel for petitioner is taken on record.
2. Heard learned counsel for petitioner, learned Standing Counsel for the State and Sri Sudeep Kumar, learned counsel for respondent nos.4 and 5.
3. Present writ petition is filed by petitioner for getting a direction issued to the District Magistrate to give effect to the notice issued under Section 14 of SARFEASI Act.
4. Sri Sudeep Kumar, learned counsel for respondent nos.4 and 5, has strongly objected to the petition on the last date on the ground that objection is already filed since long before the Debts Recovery Tribunal (for short 'DRT'), but petitioner is not appearing before the DRT and is pressing notice issued under Section 14 of SARFEASI Act.
5. Today, learned counsel for the petitioner, through a supplementary affidavit, has stated that they have already filed their objection before the DRT. He further submits that the Bank shall not seek any adjournment before the DRT and appropriate direction may be issued to the DRT to consider and decide the stay application filed by respondent nos.4 and 5.
6. Learned counsel for respondent nos.4 and 5 also assures the Court that no adjournment would be sought before the DRT.
7. In view thereof, on joint request, it is directed that DRT shall proceed and decide the stay application filed by respondent nos.4 and 5 positively within a period of two weeks from today. Both the parties shall not seek any adjournment in the said

proceedings. In case stay application of respondent nos.4 and 5 is decided against respondent nos.4 and 5, the District Magistrate shall forthwith proceed with notice issued under Section 14 of the SARFEASI Act and bring the said proceedings to their logical conclusion within a period of three months thereafter in accordance with law, unless there is any legal impediment.

8. With the aforesaid, present writ petition stands ***disposed of***.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 13.10.2023

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