

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.K.JAYASANKARAN NAMBIAR

MONDAY, THE 19TH DAY OF OCTOBER 2015/27TH ASWINA, 1937

OP (DRT).No. 118 of 2015 (O)

SA. NO.416/2014 OF DEBTS RECOVERY TRIBUNAL, ERNAKULAM.

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PETITIONER:

**M/S.CITI SHOPPE,
2ND FLOOR, HI-POWER COMPLEX, P.B. NO.66,
CHAVAKKAD, REPRESENTED BY ITS
MANAGING DIRECTOR R.V. HIMAMUDHEEN.**

**BY ADVS.SRI.ZAKEER HUSSAIN,
SRI.GOPINATHAN NAIR K.V.**

RESPONDENTS:

- 1. AUTHORIZED OFFICER,
INDIA SME ASSET RECONSTRUCTION CO. LTD.,
MSME DEVELOPMENT CENTRE, C-11, G-BLOCK,
BANDRA-KURLA COMPLEX, BANDRA (EAST),
MUMBAI-400 051.**
- 2. M/S.ALLEBASI BUILDERS & DEVELOPERS PVT. LTD.,
SHELTER, L.M.S. JUNCTION, ATTINGAL. P.O,
TRIVANDRUM-695 101.**

**THIS OP (DEBT RECOVERY TRIBUNAL) HAVING COME UP FOR ADMISSION
ON 19-10-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

rs.

OP (DRT).No. 118 of 2015 (O)

APPENDIX

PETITIONER'S EXHIBITS:-

- P1 TRUE COPY OF THE INTERIM ORDER DATED 19/06/2015 IN
WRIT PETITION NO.18549 OF 2015**
- P2 TRUE COPY OF THE SAID JUDGMENT DATED 27/07/2015 IN
WRIT PETITION NO.18549 OF 2015**
- P3 TRUE COPY OF THE ORDER OF THE DRT DATED 08/09/2015 S.A.416 OF 2014.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.S. TO JUDGE

rs.

A.K.JAYASANKARAN NAMBIAR, J.

O.P.(DRT). No. 118 of 2015

Dated this the 19th day of October, 2015

JUDGMENT

The grievance of the petitioner in the OP(DRT) is essentially that, although SA No.416 of 2014 has been preferred before the Debt Recovery Tribunal, Ernakulam, the same has not been disposed till date and the delay is causing severe prejudice to the petitioner. When the matter came up for admission on 09.10.2015, I called for a report from the Presiding Officer, DRT, as regards the time that would be required to passing final orders in SA No.416 of 2014. By a report dated 16.10.2015, the Presiding Officer, DRT, has indicate that he would require six months time for disposing SA No.416 of 2014. Taking note of the said report, I dispose the OP (DRT) with a direction to the Debt Recovery Tribunal, Ernakulam, to consider and pass final orders in SA No.416 of 2014, on or before 30.04.2016.

A.K.JAYASANKARAN NAMBIAR
JUDGE