

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K.AGNIHOTRI,
AND
THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P.No. 33182 of 2014

and

M.P. No. 1 of 2014

A. Zahir Hussain .. Petitioner

vs.

1. The Registrar,
Debt Recovery Appellate Tribunal,
Indian Bank Circle Office Building 4th floor,
Ethiraj Salai, Chennai. 600 008.
2. The Central Bank of India,
rep. Its Branch Manager,
Contonment Branch,
43/3A, Promenade Road,
Contonment,
Trichy.
3. The Recovery Officer,
Debt Recovery Tribunal,
Madurai.
4. K. Jamruth
5. S.M.D. Sheriff
6. S.M. Haja Mohideen
7. Mohamed Iqbal

(R4 to R7 impleaded as per
order dated 5.1.2015 in MP No.2/2014)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to extend the time to comply with the earlier order dated 14.8.2014 in A.I.R.No. 296 of 2014 on the file of 1st respondent.

For Petitioner : Mr. V. Bhiman
for
M/s. R. Ganesh Babu

For Respondents : Mr. F.B. Benjamin George - R2
M/s. S. Parveen - R4 to R7

ORDER

(Order of the Court was made by SATISH K. AGNIHOTRI,J.,)

By this writ petition, the petitioner seeks a direction to the Appellate Tribunal to extend the time to comply with the order dated 14.8.2014, whereby and whereunder, the petitioner herein/appellant therein was directed to deposit a sum of Rs.39,50,000/- on or before 31.10.2014.

2. It appears that the petitioner has, thereafter, moved the Appellate Tribunal by way of an application dated 31.10.2014 under the Provision of Section 19(25) of the Recovery of Debts due to Banks and Financial Institutions Act, 1993 for extension of time along with an affidavit detailing the reasons in paragraph 8 and 9 therein.

3. We are informed that the said application is still pending consideration before the Appellate Tribunal.

4. In view of that, we do not propose to pass any order on merits even on the question of extension of time. However, we deem it fit and proper to direct the Debts Recovery Appellate Tribunal to consider the petitioner's application dated 31.10.2014 in the light of the contentions made in the affidavit and also on the application for extension of time on its own merits and in accordance with law.

5. This writ petition stands disposed of accordingly. Consequently, M.P. No. 1 of 2014 is closed. No costs.

Sd/- सतयमेव जयते
Assistant Registrar
Dated:13.1.15

True Copy

Sub Assistant Registrar

To

1. The Registrar,
Debt Recovery Appellate Tribunal,
Indian Bank Circle Office Building 4th floor,
Ethiraj Salai,
Chennai. 600 008.

2. The Recovery Officer,
Debt Recovery Tribunal,
Madurai.

+1 cc to Mr.F.B.benjamin George,Advocate, SR.1465

+1 cc to Mr.A.Parveen, Advocate,SR.1286

+1 cc to Mr.R.Ganesh Babu, Advocate,SR.1385.

km(co)
krd 13/1

W.P.No.33182 of 2014



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