

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P. No.28651 of 2015

Dr. Abdul Haleem

Petitioner

Vs.

1. HDFC Bank,
Retail Asset Division,
Chennai 600 017.

2. The Registrar,
Debt Recovery Appellate Tribunal,
Chennai.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorari calling for the records of the Debt Recovery Appellate Tribunal at Chennai/ Second Respondent, passed in I.A.No. 1107/14 in AIR626/2014, dated 09.07.2015 and quash the same.

For petitioner

Ms. S. Thamizharasi

सत्यमेव जयते
ORDER

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

Questioning the legality validity of the impugned order dated 09.07.2015 passed by the Debts Recovery Appellate Tribunal (for short "the Appellate Tribunal") in I.A. 1107 of 2014 in A.I.R.626 of 2014, this writ petition has been filed.

2. Learned counsel appearing for the petitioner submits that in the impugned order dated 09.07.2015 passed by the Appellate Tribunal in I.A. 1107 of 2014 in A.I.R.626 of 2014, there is a reference of deposit of Rs.4,00,000/- as per promise made by the petitioner/ appellate therein. According to the learned counsel,

there is no such order, whereunder, either a promise has been made or a condition to deposit a sum of Rs.4,00,000/- was ordered by the Appellate Tribunal.

3. Be that as it may, it appears that before passing the impugned order, there is an order, which was passed on the basis of the promise made by the petitioner/appellant therein to deposit a sum of Rs.4,00,000/- on or before 26.02.2015.

4. If it is so, as stated above, we are of the view that it will be proper for the petitioner/appellant therein, to make an application seeking review of the order before the Appellate Tribunal on the aforesaid grounds, if so advised.

5. As a sequel, the writ petition stands disposed of with the above observation. Consequently, connected miscellaneous petition is closed. Costs made easy.

-s/d-

Assistant Registrar (CSIII)
dt:29/09/2015

True Copy

Sub-Assistant Registrar

ra
To

1. The Registrar,
Debt Recovery Appellate Tribunal,
Chennai.

+1 cc to M/S.S.Thamizharasi, Advocate sr.49797

W.P. No.28651 of 2015

aa01/10/2015

WEB COPY