

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM

THE HON'BLE MR. JUSTICE **SATISH K. AGNIHOTRI**

and

THE HON'BLE MR. JUSTICE **M.VENUGOPAL**

C.R.P (NPD) No.4212 of 2015

and

M.P.No.1 of 20S15

J.Paramanandam

..

Petitioner

Vs.

1.Indian Bank,
Dr. Radhakrishnan Salai Branch,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

2.P.R.Sathappan

3.S.R.Koteeswara Rao

4.Azhagammal

5.Dhanalakshmi

6.Deepak Darthwani

7.Periakaruppan

8.Gowri

9.Parameswari

10.R.S.Vijaya

..

Respondents

Civil Revision Petition filed under Article 227 of The Constitution of India against the order of the DRAT, Chennai dated 27.02.2014 and made in I.A.No.580 of 2013 in AIR No.463 of 2013 arising out of O.A.No.491 of 1999 on the file of DRT 1, Chennai.

For Petitioner .. Mr.M.Arun Kumar
for M/s.C.Dayakar

For Respondents .. Ms.Rita Chandrasekaran
for M/s.Jayesh B.Dolia for R1

ORDER

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

The instant Civil Revision Petition is preferred against the order dated 27 February 2014, whereunder, the inordinate delay of 1460 days in filing the appeal against the order passed by the Debt Recovery Tribunal - I, Chennai was not condoned. The learned Chairperson of the Debts Recovery Appellate Tribunal has categorically recorded that the appellant therein had not demonstrated that he was prevented by sufficient cause from filing the appeal within the time prescribed and has also not explained the inordinate delay of 1460 days in preferring the appeal. Accordingly, the appeal was dismissed on the ground of being barred by limitation.

2.On 04 November 2015, when the Civil Revision Petition was taken up for hearing, the learned counsel appearing for the revision petitioner expressed his inability to argue the matter and sought for time. The matter was adjourned and taken up again on 02 December

2015. Again, a similar request was made and the matter was adjourned to 01 February 2016. The matter was listed on the request of the learned counsel for the petitioner on 03 February 2016 and again, it was adjourned for want of prosecution. Today, when the matter is taken up for hearing, a similar request is reiterated.

3.We have examined the facts, perused the pleadings and also the order sought to be impugned.

4.We do not find any reason to interfere with the order sought to be impugned, as the same is just and proper in the facts of the case. Accordingly, the Civil Revision Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(SATISH K.AGNIHOTRI,J.) (M.VENUGOPAL J.)

08 February 2016

Index:Yes/No
mmi

To

Indian Bank,
Dr. Radhakrishnan Salai Branch,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

**SATISH K.AGNIHOTRI, J.
and
M.VENUGOPAL, J.**

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