

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.No.1691 of 2016
and
W.M.P.Nos.1468 and 1469 of 2016

ASREC (India) Ltd.,
UTI Tower, GM Block,
Bandra Kurla Complex,
Bandra East, Mumbai.
(in the place of UCO Bank) ... Petitioner

Vs.

1.The Debts Recovery Appellate
Tribunal rep. by its
Registrar,
IV Floor, Indian Bank Circle Office,
55, Ethiraj Salai, Chennai - 8.

2.S.Md.Siddique
3.S.Fathima Begum
4.S.Syed Abbas
5.S.Mastan Ibrahim

6.M/s.Infa Agro and Marine Exports
(P) Ltd., Chennai - 13.

7.Gerald Henry
8.Beena Johny
9.S.Kadar Meeran

... Respondents

Petition filed under Article 226 of The Constitution of India
praying to issue a writ of certiorari to call for the records
pertaining to the proceedings in the order dated 07.09.2015 made
in I.A.No.747 of 2014 in R.A.No.98 of 2013 on the file of the
Debts Recovery Appellate Tribunal, Chennai, the first respondent
herein and quash the same.

For Petitioner .. Mr.A.V.Arun
for M/s.J.Senthil Kumar

ORDER

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

Notice to the respondents is dispensed with, at this stage, as no adverse order is passed against them in this writ petition. Thus, with the consent of the learned counsel appearing for the petitioner, the writ petition is taken up for final disposal.

2.Impugning the order dated 07 September 2015 passed by the first respondent, whereby and whereunder, respondents 2 to 5 herein were granted time at their instance, the petitioner/first respondent therein has come up with this writ petition on the ground that extension of time was granted to respondents 2 to 5 herein without considering the fact that they were granted time under the terms of the accepted One Time Settlement dated 21 December 2011.

3.Be that as it may, the impugned order was pronounced on 07 September 2015, extending eight weeks' time with effect from that date. Eight weeks' time came to an end on 06 November 2015. The instant petition is filed after expiry of the extended time. Even otherwise, the issue seems to be open to consideration in the pending appeal. Thus, at this stage, we are not inclined to interfere with the impugned order passed by the first respondent.

4.With the above observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

mmi

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To

The Registrar,
Debts Recovery Appellate
Tribunal,
IV Floor, Indian Bank Circle Office,
55, Ethiraj Salai, Chennai - 8.

1 cc to M/s.J. Senthilkumar, Advocate, Sr. 3995

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SAI (CO)
kk 9/2



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