

\$~31

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6488/2016

TRUE FAB ENGINEERING PVT. LTD.

..... Petitioner

Represented by: Ms.Reena Jain Malhotra,
Advocate with Mr.Anand
Aggarwal, Advocate.

versus

BANK OF BARODA

..... Respondent

Represented by: Mr.Bhupendra Singh Chauhan,
Advocate.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

%

26.07.2016

CM No.26575/2016

Allowed subject to all just exceptions.

W.P.(C) 6488/2016 & CM No.26576/2016

1. The recurring problem of DRAT at Delhi not functioning is arising in the instant writ petition once again.
2. I.A. No.932/2016 filed by the petitioner in SA No.49/2015 has been disposed of by learned DRT vide impugned order dated July 20, 2016. Learned DRT has taken note of the fact that the writ petitioner had deposited ₹2.5 crores with the bank during pendency of SA No.49/2015. Stay against possession of the secured assets has been granted upon petitioner depositing further ₹18 lacs with the bank within five days reckoned from July 20, 2016.

3. The demand as per the notice issued under Section 13(2) SARFAESI Act is in sum of ₹2.99 crores. Interest would run on the said amount but we find that the petitioner has deposited ₹2.5 crores with the bank.
4. Without reflecting upon the merits of the case projected by the petitioner we dispose of the writ petition, noting that the remedy available to the petitioner in the form of an appeal is currently not available, hence directing that till the appeal filed by the petitioner before learned DRAT is taken up for consideration operation of the impugned order shall remain stayed.
5. Needless to state, learned DRAT shall decide the appeal uninfluenced by any observation made by us.
6. No costs.
7. Copy of the order be given dasti to learned counsel for the parties under the signature of Court Master.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 26, 2016

'st'