

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.14122 OF 2016

HDFC Bank Limited

.Petitioner

Vs.

M/s. Kenwood Marketing Inc & ors. .Respondents

Mr.Dharam Juman i/b. INTRALEGAL, Advocate, for
the Petitioner

Ms Priyanka Kothari i/b. Mr.Vivek V. Phadke,
Advocate, for the Respondent No.1

**CORAM : R.M.BORDE AND
A.S.GADKARI, JJ.**

DATE : 23.01.2017

P.C.

. The Petitioner – Bank is objecting to the Order dated 17.10.2016 passed by the Debts Recovery Appellate Tribunal, at Mumbai in M.A.No.361 of 2016 in Appeal No.106 of 2016 directing the Respondent No.1 – Debtor to deposit 50% of Rs.95,61,034.66/- after deducting Rs.35,00,000/- already deposited, on or before 15.11.2016, in the form of Demand Draft with the Registrar of the Debts Recovery Appellate

Tribunal, failing which it has been directed that the Appeal shall stand rejected automatically.

2. After hearing the parties for some time, we are convinced that the order passed by the Debts Recovery Appellate Tribunal need not be interfered with by this Court while exercising its writ jurisdiction under Article 226 of the Constitution of India. However, the Debts Recovery Appellate Tribunal is directed to decide the pending Appeal No.106 of 2016 as expeditiously as possible and preferably within a period of six months from today and it is accordingly directed.

3. Accordingly, the Writ Petition is disposed of.

(A.S.GADKARI, J.)

(R.M.BORDE, J.)