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

+ W.P.(C) 5687/2016 & CM No. 23527/2016, 34457/2016 &
34740/2016 & CM No. 329/2017 (for direction)

KOTAK MAHINDRA BANK LIMITED

..... Petitioner

Through None

versus

INDIAN SPECIALITY FATS LIMITED & ORS. Respondents

Through Mr. Sumesh Dhawan and Mr. Vatsala
Kak, Advocates for respondent No.6

CORAM:

HON'BLE MS. JUSTICE INDIRA BANERJEE

HON'BLE MR. JUSTICE ANIL KUMAR CHAWLA

ORDER

% **04.01.2017**

CM No. 329/2017 in WP(C) No. 5687/2016

No one has appeared on behalf of the writ petitioner. No prayer has been made for accommodation.

This writ petition has been filed challenging the order dated 13.6.2016 passed by the Learned Debts Recovery Tribunal-I, Delhi in MA No. 100/2015 filed in Appeal No. 19/2011 and MA No. 43/2011. An appeal from the order impugned lies before Debts Recovery Appellate Tribunal.

We, however, entertained the writ petition, since the Debts Recovery Appellate Tribunal was non-functional at the time when the writ petition was filed by the reason of vacancies in posts of Chairman and members.

The Debts Recovery Appellate Tribunal is now functional. The writ petitioner may approach the Debts Recovery Appellate Tribunal. An appeal before the DRT may be filed within four weeks from date. The interim order passed by this Court on 17.6.2016 shall continue for a period of 7 weeks from date or until further orders of the DRAT, if any, whichever is earlier.

With these directions, the application stands disposed of.

WP(C) No.5687/2016 & CM No. 23527/2016, 34457/2016 & 34740/2016

In view of the order in CM No. 329/2017, passed today, the writ petition and applications stand disposed of.

The date earlier fixed as 25.1.2017 stands cancelled.

A copy of this order be sent to counsel for petitioner and counsel for respondents No.1 to 5.

Dasti to counsel for the parties.

INDIRA BANERJEE, J

ANIL KUMAR CHAWLA, J

JANUARY 04, 2017

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