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

+ **W.P.(C) 8335/2016**

KOTAK MAHINDRA BANK LIMITED

..... Petitioner

Through Mr. Ashwini Kumar Mata, Sr. Advocate
with Mr. Suresh Dutt Dobhal & Mr. Yugank Goel,
Advocates.

versus

HINDON RIVER MILLS LIMITED AND ORS. Respondents

Through Ms. Maneesha Dhir, Ms. Jayashree, Mr.
S. Dasgupta & Ms. Saloni Choudhary, Advocates
for respondent No. 1.

Mr. Ankur Sood, Advocate for respondent Nos. 2
and 3.

Mr. Ashish Rana & Mr. Shaveer Ahmed,
Advocate for respondent No. 4.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

28.02.2017

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Mr. Ashwini Kumar Mata, Sr. Advocate, on instructions, states that the impugned order in this writ petition dated 22nd July, 2016 stands modified by the order dated 7th February, 2017 passed by the Presiding Officer of the Debt Recovery Tribunal. He submits that the second order dated 7th February, 2017 has been passed in view of the application IA No. 1334/2016, which was filed as the Sick Industrial Companies (Special Provisions) Act, 1985 stands repealed vide the Sick Industrial Companies

(Special Provisions) Repeal Act, 2003 effective from 1st December, 2016.

2. He submits that the petitioner herein would raise all pleas and contentions as available to him before the Recovery Officer. The Petitioner, he submits, has moved before the Recovery Officer in terms of order dated 7th February, 2017.

3. In view of the statement made, we dismiss the writ petition as withdrawn, clarifying that this Court has not expressed any opinion on merits.

4. Mr. Ashwini Kumar Mata, learned senior counsel states that the petitioner would be pressing for early disposal before the Recovery Officer as this matter has been pending for long. It is open to the petitioner to make the said prayer before the Recovery Officer.

DASTI.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

FEBRUARY 28, 2017
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