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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8402/2017 and CM APPL. 34579/2017 and CM APPL.34580/2017**

DIMPLE KAPOOR Petitioner

Through: Mr Anand Aggarwal and Ms Reena Jain
Malhotra, Advs.

versus

ICICI BANK Respondent

Through: Mr Kashish Narang, Adv.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **20.09.2017**

1. The petitioner is aggrieved by the order dated 30.08.2017, passed by the learned DRAT in Misc. Appeal No. 365/2017 filed by the respondent/Bank against the order dated 23.08.2017, passed by the DRT-II, Delhi whereunder her application for seeking release of the vehicle on *superdari* was allowed on a conditional basis.

2. We have enquired from learned counsel for the parties to inform us about the status of the impleadment application filed by the petitioner before the DRT-II. They state that the said application is still pending and is listed on 09.10.2017, for appropriate orders. In view of the pendency of the said application, we decline to entertain the present petition till appropriate orders are passed by the DRT-II. In view of the above, the impugned order dated 30.08.2017, passed by learned DRAT does not deserve interference, till the pending impleadment application is disposed of by the DRT.

3. It is clarified that if the impleadment application filed by the petitioner is allowed, then she shall be entitled to file a fresh application

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before the DRT-II for release of the vehicle, which shall then be decided on merits, uninfluenced by the earlier orders passed by the DRT-II and the impugned order passed by the DRAT.

4. In view of the above, the present petition along with the pending applications stand disposed of.

HIMA KOHLI, J

DEEPA SHARMA, J

SEPTEMBER 20, 2017/bg