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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10523/2017**
KAMAL RADHU AND ORS.

..... Petitioners

Through Mr.Darpan Wadhwa, Sr. Adv. with
Ms.Shanti Gurung, Advocate.

versus

CANARA BANK AND ANR.

..... Respondents

Through Mr.Divyakant Lahoti, Mr.Parikshit
Ahuja and Ms.Amrita Grover,
Advocates Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.12.2017

C.M. No.43055/2017 (exemption)

Exemption is allowed subject to just exceptions. Application
disposed of.

W.P.(C) 10523/2017 & C.M. No.43054/2017 9 (for stay)

Petitioner is aggrieved by an order dated 15.9.2017 passed by
the Chief Metropolitan Magistrate, South East District under Section
14 of the Securitization and Reconstruction of Financial Assets and
Enforcement of Security Interest ((SARFAESI) Act, 2002. Learned
senior counsel for petitioner points out that possession of the disputed
property bearing No.C-681, New Friends Colony, New Delhi will be
taken by the Receiver tomorrow. He prays that the order be not
implemented till one week. Additional submission being that since an

objection has been raised by the respondent about the maintainability of the petition, the petitioner is willing to approach the appropriate forum i.e. the DRT but for one week no coercive steps be taken. Ordered accordingly.

It is made clear that on an appropriate application being filed by the petitioner an appropriate order shall be passed by the concerned DRT within a period of one week failing which the interim protection granted for one week shall stand vacated; even otherwise after one week there will be no interim protection in favour of the petitioner.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

DECEMBER 04, 2017
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