

**HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE MS. JUSTICE J.UMA DEVI**

WRIT PETITION No.15846 of 2018

ORDER: (per Hon'ble Sri Justice V.Ramasubramanian)

Challenging the conditional order passed by the Debts Recovery Appellate Tribunal, the petitioners have come up with the above writ petition.

2. Heard Mr.M.Srinivasa Rao, learned Counsel for the petitioners and Mr.B.S.Prasad, learned Standing Counsel appearing for the 3rd respondent Bank.

3. The Debts Recovery Tribunal imposed a condition that the petitioners should pay 30% of the demanded amount. On appeal, the Debts Recovery Appellate Tribunal reduced the amount to 20% for the grant of stay. It is this order that is under challenge in this writ petition.

4. Apart from the question, whether the exercise of discretion by DRT and DRAT while granting a stay is capable of being interfered with as a matter of routine, there is also one more issue. According to the learned Standing Counsel for the Bank, four properties were brought to sale on 13.03.2018. There was no bidder in respect of one property and in respect of the second property, sale was confirmed, and in respect of third and fourth properties, sale certificates have also been issued.

In the light of such a statement made, it is open to the petitioners to raise all the issues and challenge these proceedings before the DRAT in the pending appeal.

5. With the above observations, the Writ Petition is closed. No order as to costs.

Consequently, miscellaneous petitions, if any pending in the writ petition, shall stand closed.

V.RAMASUBRAMANIAN, J

J.UMA DEVI, J

01.05.2018
Gsn.

