

\$~47.

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

+ W.P.(C) 12123/2018 & C.M.No.47064/2018 (stay)

KANHIYA DEVELOPERS PVT LTD

..... Petitioner

Through: Mr.Vijay Kasana, Adv. with
Mr.Manu, Ms.Rashmi Verma, Adv.

Versus

ASSET RECONSTRUCTION COMPANY
(INDIA) LIMITED & ANR

..... Respondents

Through: Mr.Ateev Kr.Mathur, Adv. with
Mr.Amol Sharma, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

13.11.2018

C.M.No.47063/2018 (exemptions)

Allowed, subject to all just exceptions.

W.P.(C) 12123/2018

Against the impugned order dated 1st August, 2018 passed by the Debts Recovery Tribunal – III, Delhi statutory remedy of appeal under the the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is available to the petitioner and in view of the law laid down by the Hon'ble Supreme Court in *Authorised Officer, State Bank of Travancore & Anr. vs. Mathew K.C.*, **(2018) 3 SCC 85**, we

dismiss the petition with liberty to the petitioner to invoke the jurisdiction of the Appellate Court in accordance with law.

CHIEF JUSTICE

V. KAMESWAR RAO, J

NOVEMBER 13, 2018

'anb'