

HONOURABLE SRI JUSTICE V.RAMASUBRAMANIAN

AND

HONOURABLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.3989 OF 2019

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

Aggrieved by a conditional order of stay granted by the Debts Recovery Tribunal (DRT), the petitioner came up with the above writ petition.

2. Heard Mr. K. Kranthi Kumar, learned counsel for the petitioner and Mr. Maruti Jadav, learned counsel, representing M/s. Pearl Law Associates, for the respondent.

3. By the order impugned in this writ petition, the Tribunal directed the petitioner to pay 15% of the dues within one week and another 15% within two weeks thereafter. The petitioner complied with the first portion of the order and came up with the above writ petition. Therefore, we passed an order on 07.03.2019 to the following effect:

“Mr. Maruti Jadav, learned Counsel representing Pearl Law Associates, takes notice for the respondent.

The Writ Petition arises out of a conditional order of stay granted by the Debts Recovery Tribunal. The first part of the condition viz., payment of 15% of the amount due has already been complied with by the petitioner. All that the petitioner seeks is only an extension of time for complying with the second condition viz., the payment of another 15% of the amount due. .

Therefore, the petitioner is granted time till 31.03.2019 to make payment of the 2nd instalment as ordered by the Tribunal.

Post on 02.04,2019 for reporting compliance. Till then, no coercive steps shall be taken.”

4. The petitioner has not complied with the above order. But, the learned counsel for the petitioner states that there were some medical issues for the proprietor and that time may be extended.

5. Therefore, the writ petition is disposed of granting time to the petitioner up to 30.04.2019 to make payment of the second installment of 15%. If the petitioner makes payment of the second installment by 30.04.2019, the petitioner will have the benefit of stay pending the appeal before the Tribunal. If the petitioner fails to comply with this order, the stay will stand automatically vacated. However, there shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

V. RAMASUBRAMANIAN, J

T. AMARNATH GOUD, J

April 16, 2019
Mgr