

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO.27479 OF 2018

ORDER: (per SK,J)

This writ petition was filed assailing the docket order dated 16.07.2018 passed by the Debts Recovery Tribunal-I, Hyderabad, in I.A.No.2007 of 2018 in O.A.No.566 of 2013. The said O.A. was filed by IDBI Bank Limited, the first respondent herein. The subject I.A. was filed by the petitioners herein seeking to be impleaded as parties to the O.A. By the impugned docket order, the Tribunal dismissed the I.A.

2. By order dated 09.08.2018 passed in I.A.No.1 of 2018 filed in this writ petition, the Debts Recovery Tribunal-I, Hyderabad, was directed not to pass final orders in the O.A. However, it appears that the said O.A. was disposed of on 09.08.2018 itself.

3. We are informed by Sri Keerthi Arun Kumar, learned counsel for the petitioners, that the contesting respondents in the O.A. already filed a statutory appeal before the jurisdictional Debts Recovery Appellate Tribunal against the final order dated 09.08.2018 passed by the Tribunal in O.A.No.566 of 2013.

4. In the light of the aforestated facts, we are of the opinion that challenge to the docket order dated 16.07.2018 passed by the Tribunal refusing to implead the petitioners herein as parties to the O.A. no longer survives for consideration on merits. It is for the petitioners to renew their request in that regard before the Appellate Tribunal, if they so choose. In the event they do so, the Appellate Tribunal shall consider their implead application on merits without reference to the docket order dated 16.07.2018 passed by the Tribunal dismissing their implead application in

I.A.No.2007 of 2018 in O.A.No.566 of 2013. This order would suffice to meet the interests of justice inasmuch as the Tribunal proceeded to dispose of the matter despite the interim order passed in this writ petition.

5. The writ petition is allowed to the extent indicated above. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

Date:11.09.2019

GJ

K.LAKSHMAN,J

