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

+ W.P.(C) 1485/2019

ICICI BANK LIMITED Petitioner
Through: Mr.Punit K.Bhalla, Advocate.

versus

ODEON BUILDER PVT LTD & ORS Respondents
Through: Mr.Karunesh Tandon, Advocate.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE A. K. CHAWLA

% **ORDER**
07.03.2019

The counsel for the respondents has put in appearance.

The petitioner has sought the following two reliefs in the writ petition.

- a) Allow the writ and direct the Court receiver to handover the possession of the Mortgaged property i.e. PLOT NO. 112 & 113, BLOCK D PREET NAGAR CO-OPERATIVE HOUSE BUILDING SOCIETY LTD, PREET VIHAR, DELHI-110092 to the authorized officer of the petitioner bank and also permit the petitioner bank to auction the mortgaged property;*
- b) Or in alternative direct the Learned DRTA, Delhi to decide the Application/ Misc Appeal No. 125 of 2018 case titled as ICICI Bank Ltd. Vs. Odeon Builders Pvt. Ltd. & Ors. on the next date of hearing i.e 22.02.2019; and*

The counsel for the respondents states that he has no objection if the

application/Misc.Appeal No.125/2018 titled **ICICI Bank Ltd. Vs. Odeon Builders Pvt. Ltd.& Ors.** pending before the DRAT, Delhi is decided expeditiously.

We are informed that the said appeal is now listed before the DRAT in the month of March, 2019. There is some confusion between the learned counsel for the parties as to whether the date is 13.03.2019 or 18.03.2019. Whatever be the position, the learned counsel for the parties are agreeable that on the next date fixed, neither of them shall seek an adjournment and shall request the DRAT to proceed with the hearing and dispose of the appeal. We also request the DRAT to endeavour to hear and decide the appeal on the date fixed, or, if that is not possible for any reason, on an earliest date convenient to DRAT.

The petition stands disposed of in the aforesaid terms.

We make it clear that we have not made any observations on the merits of the case.

Dasti.

VIPIN SANGHI, J

A. K. CHAWLA, J

MARCH 07, 2019/dm