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

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+ **W.P.(C) 2105/2019**

SMT. SURINDER KAUR AND ANR. Petitioners

Through: Mr Praveen Suri, Advocate.

versus

MS. R B L BANK LIMITED AND ORS. Respondents

Through: Mr. Ramesh Gopinathan, Advocate
for R-1.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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22.11.2019

1.The two Petitioners before this Court are aggrieved by the impugned order dated 4th February, 2019, passed by the Debt Recovery Appellate Tribunal ('DRAT'), declining to transfer their SA No.64/2018 from the Debt Recovery Tribunal'-III ('DRT') where it is presently pending to DRT-II, Delhi, where another SA by Shri Ashok Kumar Bhakri, arising from the same loan agreement and involving the same immovable property, is stated to be pending.

2. Interestingly, the Respondent Bank had filed a separate Misc. Application No.661/2018, for transferring the SA filed by Shri Ashok Kumar Bhakri, being SA No.78/2018 from DRT-II to DRT-III. Both Misc. Applications have been dismissed by the impugned order of the DRAT, stating that the respective DRTs will deal with the SAs pending before them in accordance with law.

3. Considering that the loan transaction is the same one, involving all these persons, and the property is also the same, the Court sees no reason why both SA Nos. i.e. 78/2018 and 64/2018, should not be dealt with by the same DRT.

4. Considering that the Bank has not chosen to challenge the dismissal of its application by the DRAT, the Court sees no difficulty in directing that the SA No.64/2018, presently pending before the DRT-III, should be transferred to and heard along with SA No.78/2018, by DRT-II, Delhi. The impugned order of the DRAT shall stand modified accordingly.

5. The petition is disposed of in above terms.

6. *Dasti* under the signatures of the Court Master.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 22, 2019

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