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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8468/2019 and CM APPL. 34922/2019 (stay)**
SHRI RAM VERMA Petitioner

Through: Mr.Vipin Dilawar, Advocate.

versus

THE DELHI NAGRIK SEHKARI BANK LTD. AND ORS.

..... Respondents

Through: Mr.R.D.Sharma with Mr.Rajat
Sharma, Advocates for R1.
Mr.Apoorv Gupta with Mr.Abhinav
Singh, Advocates for R2.
Ms.Megha, Advocate for R3.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE TALWANT SINGH

ORDER
22.11.2019

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1. In this petition a challenge has raised to 3 orders dated 10th May, 4th July and 19th September 2018 passed by the Assistant Collector, GR-1, Co-operative Societies, Govt. of NCT of Delhi in Recovery Case No.1932/13-14.

2. The Petitioner was a guarantor for a loan for the recovery of which an Award dated 23rd December 2013 was passed by the Arbitrator in Arbitration Case No. 726/AR/ARB/13-14 under Section 71 of the Delhi Co-operative Societies Act, 2003. Even while the aforementioned recovery

proceedings were initiated, the Petitioner appears to have preferred an appeal against the said Award being Appeal No. 15/2019/DCT under Section 112 of the DCS Act before the Delhi Co-operative Tribunal ('Tribunal').

3. The Court has today been shown by counsel appearing for Respondent No.1/Bank a copy of an order dated 9th July 2019 passed by the Tribunal dismissing the application filed by the present Petitioner seeking condonation of delay in filing the aforementioned appeal. As a result of the dismissal of the above application, the Tribunal proceeded to dismiss the appeal itself. This order dated 9th July 2019 has not yet been challenged by the Petitioner.

4. Be that as it may, the Petitioner has produced before this Court a copy of an order issued on 30th May 2019 by the Assistant Collector Grade-1 directing the Manager of the Syndicate Bank with whom the Petitioner maintains his account to defreeze his account.

5. In view of the above developments where the Petitioner failed in his challenge to the Award under which he has been made liable, the Court does not consider it necessary to entertain the present petition which challenges orders passed by the Recovery Officer by way of recovery of the amount due. Without further challenging the order passed by the Tribunal, the Petitioner cannot be seen to resist the recovery of the amounts held due from him in terms of the said Award.

6. Further, since Petitioner's pension account has been defrozen by Respondent No.2 itself, no further directions are called for as far as the present petition is concerned and it is accordingly disposed of. The Respondent No.1/Bank will take into account the above direction issued by the Respondent No.2 to it. Pending application also stands disposed of.

7. Order '*dasti*'.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 22, 2019

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