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

+ **W.P.(C) 12123/2019**

JASVINDER SINGH

..... Petitioner

Through: Mr. Manjit Singh Ahluwalia & Mr.
Jaspreet Singh Advocates

versus

**CHOLAMANDALAM INVESTMENT AND FINANCE LTD. AND
ANR.**

..... Respondents

Through:

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

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18.11.2019

CM APPL. 49664/2019 (Exemption)

1. Allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 12123/2019 & CM APPL.49663/2019 (For Direction)

2. The only reason put forth by the Petitioner for not approaching the Debt Recovery Appellate Tribunal ('DRAT') is the statutory requirement of pre-deposit, which the Petitioner is obviously unable to fulfil.

3. Given that there is no discretion in the matter of pre-deposit, the Court does not see how the Petitioner can avoid going before the DRAT.

4. In that view of the matter, the Court is not inclined to interfere with the impugned order passed by the DRT against which an appeal lies to the DRAT.

5. The learned counsel for the Petitioner states that the Petitioner is prepared to make the deposit of the two overdue instalments today itself. It will be open to the Petitioner on the strength of this statement to approach the DRAT for appropriate remedy in accordance with law.

6. The petition is dismissed. The application is disposed of.

7. Order *dasti* under signature of the Court Master.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 18, 2019

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