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

+ **W.P.(C) 12512/2018, C.M. Appl.No. 48548-48549/2018**
(arising out of Misc. Appeal No.526/2018)

SAVERA IMPEX PVT. LTD. Petitioner
Through: Mr. Ravi Gupta, Sr. Advocate with
Mr. Deepak and Mr. Saket Sikri, Advocates.

versus

ORIENTAL BANK OF COMMERCE AND ORS. Respondents
Through: Mr. S.K. Sharma, Advocate.

+ **W.P.(C) 12526/2018, CM. Appl. No. 48615-48616/2018**
(arising out of Misc. Appeal No. 527/2018)

SEASONS IMPEX PVT. LTD. Petitioner
Through: Mr. Ravi Gupta, Sr. Advocate with Mr.
Deepak and Mr. Saket Sikri, Advocates.
versus

ORIENTAL BANK OF COMMERCE AND ORS Respondents
Through: Mr. S.K. Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

29.01.2019

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In these two writ petitions, the common order dated 15.11.2018 passed by the Debts Recovery Appellate Tribunal, Delhi (DRAT) in Misc. Appeal Nos.526/2018 & 527/2018 has been assailed. By the impugned order, the DRAT had stayed the operation of the order dated 24.08.2017 passed by the Debts Recovery Tribunal (DRT). By the said order dated 24.08.2017 passed by the DRT, the respondent bank had been restrained from proceeding ahead with SARFAESI measures. At the ex-parte stage,

the DRAT stayed the said order of the DRT in public interest.

By the impugned order, the next returnable date fixed by the DRAT was 28.11.2018. Thereafter, the proceedings have been adjourned before the DRAT and we are informed that the next date fixed before the DRAT for hearing of the appeal of the said miscellaneous appeal is 14.02.2019. In the meantime, upon the petitioners preferring the aforesaid Writ Petitions No.12512/2018 and 12526/2018, this Court on 22.11.2018 directed maintenance of status quo with regard to property bearing SCO No.343-345, Sector 34-A, Chandigarh in WP(C) No.12512/2018 and SCO No.193-195, Sector 34-A, Chandigarh in WP(C) No.12526/2018 in regard to which the proceedings under Section 13 were initiated.

The aforesaid being the position, we dispose of these petitions with the direction that the DRAT should proceed with the hearing of the said miscellaneous appeals on the date fixed i.e. 14.02.2019 and the status quo order passed by this Court shall continue to operate till the disposal of the said appeal, provided the petitioners herein do not seek adjournments in the hearing of the said miscellaneous appeals. It is assured on behalf of the learned senior counsel for the petitioners that no adjournment shall be sought by the petitioners and they shall proceed with the hearing of the miscellaneous appeals.

Pending applications are also disposed of.

VIPIN SANGHI, J

YOGESH KHANNA, J

JANUARY 29, 2019/VLD