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

+ **CRL.M.C. 5361/2019**

RAJIV CHETAL & ANR

Through

..... Petitioners
Mr. Pritish Sabharwal, Adv. with
petitioners in person

versus

STATE & ANR

Through

..... Respondent
Mr. Panna Lal Sharma, APP for State.
Mr. Sanjeev Bhandari with Mr.
Prateek Kumar, Advs. for R-2

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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04.02.2020

CRL.M.A. 2314/2020

Vide the present application, the petitioners seeks passing of such an order in nature of clarification of the order dated 21.01.2020 in Crl.MC 5361/2019 titled as Rajiv Chetal & Anr. Vs State & Anr.

Vide order dated 21.01.2020, this Court asked respondent no.2 bank to restructure the monthly instalments to be paid by the petitioners, to around ₹ 1,50,000/- by making an exception to the RBI guidelines, in the present case.

It was made clear that the directions passed in the present case shall not be considered as a precedent for any other case.

It was further made clear that in all circumstances, irrespective of whether the petitioners and the respondent no.2 reach an amicable solution to the rescheduling/re-structuring of their monthly instalments made to the bank, the petitioners are bound to pay the overdue monthly instalments

amounting to ₹26,20,000/- within four weeks from the date of the said order.

As stated in the letter dated 01.02.2020, the respondent no.2 has asked the petitioners to pay an amount of ₹26,20,000/- and further to pay overdue instalment for the month of February, 2020.

Learned counsel appearing on behalf of respondent no.2 submits that without prejudice, rights and contentions, let the petitioners deposit ₹26,20,000/- as per the directions of the Court and an amount of ₹1,50,000/- as instalment for the month of February, 2020, in view of the observations made by this Court in order dated 21.01.2020.

Accordingly, petitioners are directed to deposit an amount ₹26,20,000/- as per the directions of this Court issued vide order dated 21.01.2020 and an amount of ₹1,50,000/- as instalment for the month of February, 2020. Respondent-bank is directed to comply with order dated 21.01.2020 positively and consider proposal on the request of the petitioners as mentioned in the aforesaid order as far as possible, however, not beyond 29.02.2020.

In view of above, the application is disposed of.

SURESH KUMAR KAIT, J

FEBRUARY 04, 2020

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