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

+ W.P.(C) 4116/2020

MS. JYOTI OBERAI & ANR

..... Petitioners

Through: Mr. Ashok Kumar Sharma, Sr. Advocate
with Mr. I. J. S. Mehra, Mr. Kshitij Mudgal,
Ms. Tabassum and Mr. Puneet Saini, Advocates

versus

ASSET RECONSTRUCTION CO. (INDIA) LTD. & ORS.

.... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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10.07.2020

HEARD THROUGH VIDEO CONFERENCING

CM 14776/2020 (Exemption)

Allowed, subject to all just exceptions.

W P.(C) 4116/2020 & CM Nos. 14775/2020, CM 14777/2020.

1. The present petition has been filed by the petitioners praying *inter alia* for quashing of the orders dated 13.02.2020 and 06.03.2020 passed by the DRT-III and DRT-II, respectively. Further, the petitioners seek directions to the respondents to hand back the possession of property No.177-A Jeevan Nagar, Kilokari, Delhi.

2. We may note that the order dated 06.03.2020 passed by the DRT-1, Delhi, that the petitioners seek to assail, is nothing but a consent order wherein they had undertaken that they would clear the sum of Rs.18.50 lakhs payable to the respondents in the following manner:

- i) Rs. 5.00 lakhs on the date of hearing itself i.e., on 06.03.2020.
- ii) Rs. 5.00 lakhs on or before 16.03.2020.
- iii) Rs. 8.50 lakhs on or before 10.04.2020.

3. We have enquired from Mr. Sharma, learned Senior Advocate appearing for the petitioners as to the extent the aforesaid amount has been liquidated by the petitioners in terms of the consent order dated 06.03.2020 . He concedes that the petitioners had paid only a sum of Rs.5.00 lakhs to the respondent on 16.03.2020 and nothing thereafter.

4. That being the position, we see no reason to grant any further indulgence to the petitioners, particularly when they did not approach the DRAT for any relief within a reasonable time from the date of passing of the orders dated 13.02.2020 and 06.03.2020. The petitioners have deliberately sat back till the respondents decided to take steps to approach the Receiver for taking over the possession of the subject premises. The present petition is dismissed, along with the pending applications.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

JULY 10, 2020

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