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

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Judgment delivered on: 11.11.2020

+ CM(M) 561/2020

ICICI BANK

..... Petitioner

versus

ASHOK KUMAR

..... Respondent

+ CM(M) 562/2020

ICICI BANK

..... Petitioner

versus

MANOJ KAUSHIK

..... Respondent

+ CM(M) 563/2020

ICICI BANK

..... Petitioner

versus

RAJARSHI GUHA

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Punit Kumar Bhalla, Advocate.

For the Respondents: None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.28692/2020 (exemption) in CM(M) 561/2020
CM APPL.28717/2020 (exemption) in CM(M) 562/2020
CM APPL.28718/2020 (exemption) in CM(M) 563/2020

Exemptions are allowed subject to all just exceptions.

CM(M) 561/2020, CM(M) 562/2020 & CM(M) 563/2020

1. The hearing was conducted through video conferencing.
2. Petitioner is aggrieved by the directions of the learned Trial Court, adjourning the case by over 9 months on an application under Order 39 Rule 6 CPC for sale of the vehicle that has been repossessed by the Bank.
3. Learned counsel for the petitioner refers to the judgment of this Court dated 23.12.2019 in CM(M) 1814/2019 titled *ICICI Bank Ltd. vs. Nidhi Sharma*, wherein, a Coordinate Bench of this Court relying on the judgment dated 29.05.2015 in *ICICI Bank Ltd. vs. Kamal Kumar Garewal*, FAO 49/2015 noticed that the delay in disposing of the vehicle is likely to depreciate the value of the repossessed vehicle further and directed expeditious steps to be taken for sale of the vehicle, in case the borrower does not clear the entire outstanding instalments within the stipulated period.
4. Keeping in view the said judgments, the Trial Court is directed to expedite the proceedings and endeavour to dispose of the application under Order 39 Rule 6 CPC filed by the Bank within a

period of 3 months from the next date being fixed before the Trial Court.

5. Accordingly, the matter is directed to be listed before the concerned Trial Court for appropriate directions on 25.11.2020.

6. Petition is disposed of in the above terms.

7. Copy of the judgment be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

NOVEMBER 11, 2020
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SANJEEV SACHDEVA, J

