

Bank of Baroda and Anr.	}	Petitioners
versus		
Union of India and Ors.	}	Respondents

Mr. V. M. S. Raja, authorised officer of Bank of Baroda present (petitioner no. 2).

DATE: DECEMBER 23, 2021

2. It is not in dispute that challenging the aforesaid order

dated October 6, 2021, the petitioners have preferred an appeal before the Debts Recovery Appellate Tribunal, Mumbai [hereafter "the DRAT(M)", for short]; however, since the office of the Chairperson of the DRAT(M) is vacant, they have sought for urgent relief by presenting this writ petition.

3. After hearing progressed to considerable length, Mr. Thakkar, learned senior advocate for the petitioners, on instructions from Mr. V. S. M. Raja, the petitioner no. 2 and authorized officer of the petitioner no.1, who is present in Court, seeks leave to withdraw this writ petition. However, Mr. Thakkar prays for a direction of this Court upon the Presiding Officer of the DRT-II to advance the date of hearing of the interim application being Interim/Interlocutory Application No. 853 of 2021.

4. Without prejudice to the rights and contentions of the petitioners in the pending appeal, we grant liberty to them to apply for vacating the interim order dated October 6, 2021. If such an application is filed by January 5, 2022, the said presiding officer is requested to consider such application by giving priority.

5. The writ petition stands dismissed as withdrawn, with liberty as above. There shall be no order as to costs.

6. All contentions are left open.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)

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