

W.M.P.No. 3668 of 2021

in

W.P.No.2289 of 2009

V.BHARATHIDASAN, J.

This petition has been filed to restore the writ petition, which was dismissed for default on 24.10.2019.

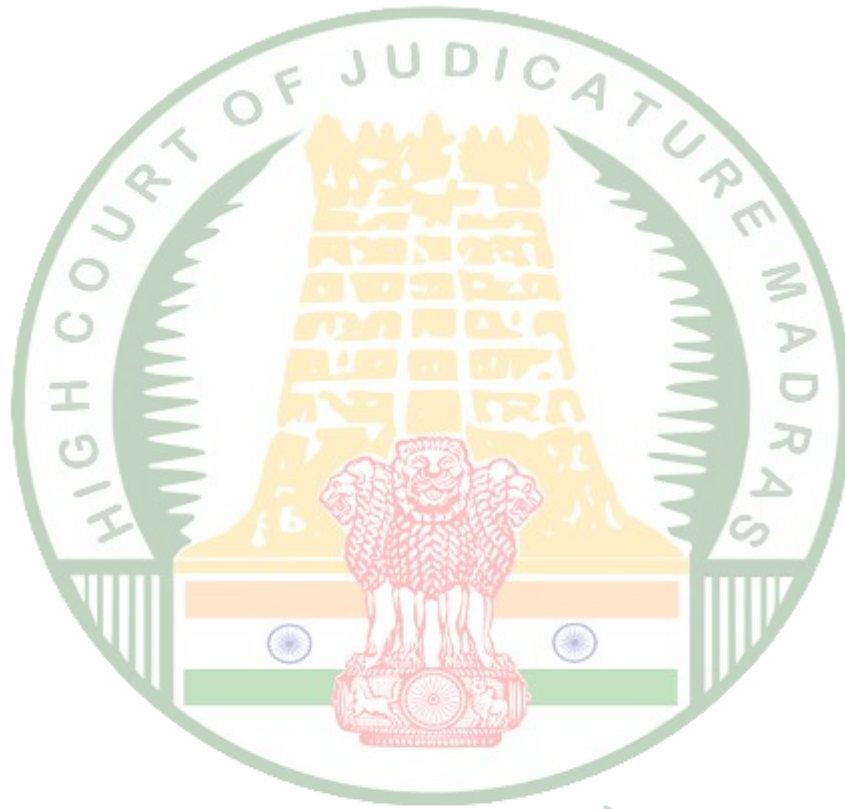
2. The learned counsel for the petitioner would submit that when the matter was listed on 24.10.2019, the petitioner's counsel has failed to note the cause list inadvertently and hence, he could not appear on 24.10.2019 and hence, the writ petition was dismissed for non-prosecution. The non-appearance of the petitioner is not wilful.

3. The learned Advocate appearing for the respondent strongly opposed the petition stating that the writ petition itself is not maintainable as the matter arising under the SARFAESI Act and the remedy is before the DRT.

4. I have gone through the affidavit and being satisfied with the reason stated in the affidavit. The objection raised by the learned counsel for the respondent is only with regard to the merits of the case.

5. Accordingly, this Petition allowed.

Registry is directed to restore the writ petition and post the writ petition before the concerned Court on 26.07.2021.



सत्यमेव जयते

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