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C.R.P.(PD).No.320 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2022

CORAM :

**THE HON'BLE MR. JUSTICE M.DURAISWAMY
AND
THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**C.R.P.(PD).No.320 of 2022
and C.M.P.No.1661 of 2022**

State Bank of India
Stressed Assets Management Branch,
rep by its Authorized Officer and
Assistant General Manager R.Krishnakumar
Raja Plaza, 1st Floor, No.1112,
Avinashi Road, Coimbatore – 641 037.
Vs.

.. Petitioner

KCP Shivraman

.. Respondent

Petition filed under Article 227 of the Constitution of India against the order dated 23.12.2021 passed in S.I.A.No.1499 of 2021 in S.A.No.465 of 2021 on the file of DRT-II, Chennai.

For Petitioner : Mr.M.L.Ganesh

For Respondent : Mr.A.Chandrasekaran



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ORDER

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(ORDER OF THE COURT WAS MADE BY M.DURAI SWAMY, J.)

After elaborate submissions, Mr.M.L.Ganesh, learned counsel appearing for the petitioner seeks permission to withdraw the Civil Revision Petition with liberty to file an appeal before the Debt Recovery Appellate Tribunal, Chennai, challenging the order impugned in the Civil Revision Petition.

2.In view of the submission made by the learned counsel for the petitioner, the Civil Revision Petition is dismissed as withdrawn. Since the Chairperson to the Debt Recovery Appellate Tribunal, Chennai has been appointed, the petitioner is at liberty to work out their remedy as per the provisions of Section 18 of the SARFAESI Act.

3.The learned counsel for the petitioner submitted that since there was no Chairperson in DRAT, Chennai, the days during which the Civil Revision Petition was pending may be excluded for the filing of the appeal before the DRAT.



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4.In view of the submission made by the learned counsel for the petitioner, the Debt Recovery Appellate Tribunal, Chennai may consider excluding the period from 20.01.2022 to 23.02.2022 for calculating the period of limitation.

No costs. Consequently, the connected miscellaneous petition is closed.

Index : Yes/No
va

[M.D., J.] [T.V.T.S., J.]
23.02.2022

Note: Issue order copy today (i.e.) 23.02.2022.



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**M.DURAI SWAMY, J.
and
T.V.THAMILSELVI, J.**

va

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