



C.R.P.(PD).No.498 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM :

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

**C.R.P.(PD).No.498 of 2022
and C.M.P.No.2620 of 2022**

Kotak Mahindra Bank Limited
now at Asset Reconstruction Division,
5th Floor, Samson Towers,
No.402-L, Pantheon Road,
Egmore, Chennai – 600 008
Old address: 2nd Line Beach,
Parrys, Chennai – 1

.. Petitioner

Vs.

- 1.Paceman Finance India Pvt. Ltd.,
rep by its Director Rahul Kumar,
Suit No.21, 3rd Floor, Crecent Court,
Purasawakkam, Chennai – 600 084.
- 2.The Official Assignee,
Madras High Court, Chennai – 600 104.
- 3.Ravishankar Industries Pvt. Ltd (in LIQN),
rep by the Official Liquidator,
High Court Madras,
Corporate Bhawan 2nd Floor,
No.29, Rajaji Salai, Chennai – 600 001.



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4.A.Manohar Prasad

5.A.Indra Anand

6.Anand Prasad

7.A.Chandini

8.A.Sai Siva Jyothi

9.A.Lakshmi Anandhi

10.A.Anjali Krishna Mani

.. Respondents

(no relief is sought as against the respondents 2 to 10 in the CRP)

Petition filed under Article 227 of the Constitution of India against the order dated 18.01.2022 in I.A.(SR).No.1 of 2022 in D.R.C.No.5/2013 in O.A.No.84 of 2011 filed by the 1st respondent on the file of the Debts Recovery Tribunal -II, Chennai and consequently direct the Tribunal to reject the said I.A.(SR).No.1 of 2022 in D.R.C.No.05/2013 in O.A.No.84/2011 pending on the file of DRT-II, Chennai.

For Petitioner : Mr.Om Prakash, Senior Counsel
assisted by Mr.P.Elaya Rajkumar

ORDER

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

The petitioner – Bank has filed the above Civil Revision Petition challenging the order dated 18.01.2022 passed in I.A.(SR).No.1 of 2022 in D.R.C.No.5 of 2013 in O.A.No.84 of 2011 filed by the 1st respondent on the file of the DRT-II, Chennai and consequently, to direct the Tribunal to reject the said application pending on the file of the Tribunal.



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2. When the Civil Revision Petition is taken up for hearing, Mr. Om Prakash, learned senior counsel appearing for the petitioner submitted that instead of going into the correctness of the order passed by the Debts Recovery Tribunal, it would be suffice to direct the Debts Recovery Tribunal to dispose of the application in I.A.No.259 of 2022 in I.A.(SR).No.1 of 2022 in D.R.C.No.5 of 2013 in O.A.No.84 of 2011 within a time frame.

3. In view of the submission made by the learned senior counsel, without expressing any opinion with regard to the merits of the matter, we direct the Debts Recovery Tribunal – II, Chennai, to take up the application in I.A.No.259 of 2022 in I.A.(SR).No.1 of 2022 and dispose of the same, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. It is needless to say that the Debts Recovery Tribunal shall also decide the application in I.A.(SR).No.1 of 2022 along with I.A.No.259 of 2022.



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4. With these observations, the Civil Revision Petition is dismissed.

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

Index : Yes/No
va

[M.D., J.] [T.V.T.S., J.]
24.02.2022



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

va

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24.02.2022