



CRP No.1213 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA , CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRP No.1213 of 2020
and CMP No.6555 of 2020

1. R.Vijayabhaskar
2. Ammulu

.. Petitioners

-VS-

State Bank of India,
Anna Nagar West Extension Branch,
W/7, North Main Road, Chennai,
Rep. by its Chief Manager, Mr.Suresh M.Nair.

.. Respondent

Prayer: Petition filed under Article 227 of the Constitution of India against the order dated 26.02.2020 passed in I.A.No.71 of 2020 in A.I.R.No.14 of 2020 on the file of Debt Recovery Appellate Tribunal, Chennai.

For the Petitioners : Mr.Jeremiah Gregory John

For the Respondent : Ms.Aswini Prakash

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ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.Jeremiah Gregory John, learned counsel for the petitioners and Ms.Aswini Prakash, learned counsel for the respondent.

2. The petition is filed against the order directing pre-deposit of Rs.6 lakhs. The amount decreed is Rs.11,03,325/- (Rupees eleven lakhs three thousand three hundred twenty five only) with interest at the rate of 9% per annum (simple interest).

3. This Court by way of an interim order dated 19.03.2020 passed in this petition directed the petitioners to deposit a sum of Rs.3,00,000/- (Rupees three lakhs only). The petitioners had deposited the same and the appeal is numbered.

4. The Tribunal does not have jurisdiction to direct deposit below 25% of the amount. Considering the above, we pass the following order.



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5. The petitioners shall deposit a further sum of Rs.2,00,000/- (Rupees two lakhs only) within six weeks from today with the Debt Recovery Appellate Tribunal, Chennai. Upon deposit of further amount of Rs.2,00,000/- (Rupees two lakhs only) in addition to the sum of Rs.3,00,000/- already deposited, the Debt Recovery Appellate Tribunal shall hear the appeal on its own merits.

6. In case the petitioners fail to deposit the additional sum of Rs.2,00,000/- (Rupees two lakhs only) within six weeks from today, then the appeal shall stand dismissed.

With the aforesaid direction, the Civil Revision Petition is disposed of. There will be no order as to costs. Consequently, C.M.P.No.6555 of 2020 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

04.10.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY, J.

(sra)

To

The Registrar,
Debt Recovery Appellate Tribunal,
Chennai.

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