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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of decision: March 23, 2023***
+ **W.P.(C) 3686/2023 & CM APPL. 14265/2023**
M/S FEEDBACK ENERGY DISTRIBUTION
COMPANY LIMITED Petitioner
Through: Mr. Sudhir Makkar, Senior Advocate
with Mr. Rahul Tyagi, Ms. Nikita
Capoor and Ms. Shweta Singh,
Advocates.

versus
RBL BANK LIMITED & ORS. Respondents
Through: Mr. Sanjiv Kakra, Sr. Advocate along
with Mr. Akash Madan, Advocate.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI
HON'BLE MR. JUSTICE SUDHIR KUMAR JAIN
NAJMI WAZIRI, J.(ORAL)

The hearing has been conducted through hybrid mode (physical and virtual hearing).

1. The learned counsel for the petitioner submits that 28 interim reliefs were sought in the petition filed by the respondents which were granted on 19.09.2022, without even hearing the respondents. The said ex-parte interim order reads *inter alia* as under:-

“...10. In the meantime all the interim reliefs prayed in para 7 of the OA are hereby allowed with directions to comply as per rules.”

2. The nature of interim relief extends to many aspects of the petitioner's being i.e. attachment of properties, restraint on travel and attachment of bank accounts.
3. The prayers virtually bring the functioning of the petitioner to a standstill

including all individuals such as all natural persons such as CEO, Chairman, M.D., Principal Officer, GM operations, etc. In effect, it attaches their salaries as well. The order also extends to restraint on movement of the respondent nos. 2 to 4 from leaving the country without permission of the Tribunal. There is no reason given for the said interim order whatsoever.

4. The petitioner's application for vacation or modification of the order has not been taken up for the past 06 months and the appeal too has been adjourned.
5. An ex-parte order granting 28 reliefs against the petitioner was passed on 19.09.2022. The application for vacation of the same was declined. The said orders are appealed before the DRAT.
6. Mr. Sudhir Makkar, learned Senior Advocate appearing on behalf of the petitioner submits that the aforesaid ex-parte interim order restrains the private individuals from travelling outside the country without permission of the Tribunal and it virtually attaches all their salaries and the fundamental rights of the private individuals to free movement have been curtailed; that in effect, because of the said order, the petitioner company cannot function. Be that as it may, he further submits that another appeal was filed pursuant against another order passed on 27.01.2023 which too is pending before the DRAT. He submits that much prejudice is being caused to the petitioner because of the pendency of the matters.
7. The learned Senior Advocate for the respondents submits that he would not say anything apropos the merits of the matter or the aforesaid contentions at this stage and would reserve his rights to respond to them

when so called upon to.

8. In view of the above, the learned Senior Advocates for the parties submit that they will request the learned DRAT to take up the matter for disposal on the next date i.e., 28.03.2023, and that they will not seek any adjournments. They assure the court that they will assist the learned DRAT for urgent disposal of the interim applications and expeditious disposal of the appeals themselves, preferably within 04 weeks.
9. The petition along with pending application stands disposed-off in the above terms.

NAJMI WAZIRI, J

SUDHIR KUMAR JAIN, J

MARCH 23, 2023/sk/pj

