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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 20.10.2023

+ CM(M) 1741/2023

ASSETS CARE AND RECONSTRUCTION ENTERPRISE LTD

..... Petitioner

Through: Mr. Neeraj Malhotra, Sr Adv along
with Mr. R P Agrawal, Ms. Manisha
Agrawal, Ms. Snigdha Agarwal and
Mr. Nimish Kumar, Advocates

versus

M/S SHEENA EXPORTS & ORS.

..... Respondents

Through:

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CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

J U D G M E N T

MANMEET PRITAM SINGH ARORA, J (ORAL):

CM APPL. 55095/2023 (For Exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

CM(M) 1741/2023

1. This petition is filed under Article 227 of the Constitution of India seeking directions to the Recovery Officer-1 ('RO'), Debt Recovery Tribunal-II ('DRT-II'), Delhi in R.C. No. 249/2016 as well as in R.C. No. 251/2016 both titled as **Assets Care & Reconstruction Enterprise Ltd. v. M/s Sheena Exports & Ors.**, for expediting the recovery proceedings.



2. At the outset, learned senior counsel for the Petitioner states that by way of this petition, the Petitioner is seeking a limited direction to RO-I of the DRT-II to expedite the proceedings in pursuance to the recovery certificates RC No. 249/2016 in OA No. 474/2016 and RC No. 251/2016 in OA No. 475/2014.

3. The learned senior counsel for the Petitioner states that the Petitioner herein is entitled to sale of three (3) mortgage properties and 18 separate properties, which have been attached, and details whereof are mentioned at para 11 and 17 respectively of the paper book.

3.1 He states that even though the execution proceedings have been pending for last seven (7) years, but out of the available pool of 22 properties, the RO had only disposed of one (1) property in the year 2022. He states that the aforesaid 21 properties have to be proceeded against.

4. This Court has heard the learned counsel for the Petitioner and perused the record.

5. In view of the limited relief sought by the Petitioner, the learned RO-I is directed to proceed with the recovery proceedings and make an endeavour to dispose of the same within six (6) months from 03.11.2023, the date already fixed before the said RO-I.

6. The Petitioner will be at liberty to move an appropriate application for placing on record this order before the RO for compliance.

7. With the aforesaid directions, the present petition is disposed of.

MANMEET PRITAM SINGH ARORA, J

OCTOBER 20, 2023/rhc/sk