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

Date of decision: 10.11.2023

+ CM(M) 1851/2023, CM APPL. 58689/2023 & CM APPL. 58690/2023

SMT SURINDER KAUR SINCE DECEASED THR LRS AND ANR
..... Petitioners

Through: Mr. Praveen Suri, Mr. Avtar Singh Manchanda & Mr. Jaspal Singh Manchanda, Advocates along with Petitioner in person.

versus

SH ASHOK KUMAR BHAKRI AND ORS Respondents

Through: Mr. Amol Sharma, Advocate for R-4 through VC.

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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):

1. This petition has been filed under Article 227 of the Constitution of India seeking a direction to the Debts Recovery Appellate Tribunal ('DRAT') to decide miscellaneous appeal bearing no. 68/2021 filed before the DRAT expeditiously.
2. In this petition a reference has also been made to the order dated 17.03.2021 passed in Civil Miscellaneous (Main) No. 243/2021 which as well makes a reference to the appeal pending before DRAT.
3. None appears on behalf of Respondent nos. 1 to 3.



4. Learned counsel for Respondent no. 4 has entered appearance and states that he has no objection to the relief sought by the Petitioner and in fact it is the Respondent no. 4 who is prejudiced by the pendency of the appeal before DRAT. He states that it was the Petitioner herein who was not present before the DRAT on the last date of hearing.
5. Learned counsel for the Petitioner states that the matter is next listed before the DRAT on 18.12.2023. He states that the Petitioner undertakes before this Court that Petitioner shall remain present through its counsel on 18.12.2023 and on every successive date until the appeal is heard and decided by the Tribunal.
6. In view of the joint request of Petitioner and Respondent No. 4, this petition is disposed of with the observation that the learned Tribunal bearing in mind that the Petitioner is asserted to be 72 years old, is requested to hear and dispose of the appeal expeditiously as per its seniority on the board without granting any unnecessary adjournments to either party.
7. Pending applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J

10 NOVEMBER, 2023/MR/ms