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C.R.P.No.4033 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2024

CORAM :

THE HON'BLE MR.K.R.SHRIRAM, CHIEF JUSTICE

AND

**THE HON'BLE MR.JUSTICE SENTHILKUMAR
RAMAMOORTHY**

C.R.P.No.4033 of 2024

and C.M.P.No.22166 of 2024

1. ARS Energy Private Limited,
CIN: U40100TN1990PTC032178
Regd. Office: D-109, 4th Floor,
LBR Complex Chintamani,
Anna Nagar East, Chennai 600 102.
2. Ashwani Kumar Bhatia
3. Rajesh Bhatia
4. BGS Credit Private Limited
CIN: U65923DL1990PTC279460
J-47, Ramesh Nagar Sanatan Dharam Mandir
Lane, West Delhi, New Delhi:110015.
5. Leading Estates Limited,
CIN: U45201DL2003PLC121065
J-47, Ramesh Nagar Sanatan Dharam Mandir
Lane, West Delhi, New Delhi:110015.
6. East Delhi Leasing Private Limited,
CIN: U65910DL1993PTC052164,
J-47, Ramesh Nagar Sanatan Dharam Mandir
Lane, West Delhi, New Delhi:110015.

... Petitioners



C.R.P.No.4033 of 2024

-VS-

1. Canara Bank
Asset Recovery Management Branch,
Spencer Tower-3, First Floor,
770, Anna Salai, Chennai 600 002.
2. Bank of Baroda,
CFS Branch, IFSC Code: BARBOTHEGA
2nd Floor, 74, Thyagaraja Road,
Near Panagal Park, T.Nagar, Chennai 600 017.
3. HDFC Bank Limited,
Department For Special Operations,
IFSC Code: HDFC0000004, 7th Floor,
B Wing, Prince Kushal Towers,
No.96, Mount Road, Chennai 600014.
4. Punjab National Bank,
Mid Corporate Centre, IFSC Code:PUNB0121310,
Chennai North, 769, Spencer Plaza,
Anna Salai, Chennai 600 002.
5. State Bank of India,
RM-V, Overseas Branch (Mid Corporate Group),
IFSC Code: 004804, 86, Rajaji Salai,
Chennai 600 002.

... Respondents

Prayer : Petition filed under Article 227 of the Constitution of India against the order of the Debts Recovery Tribunal-1, Chennai, dated 01.07.2024 made in I.A.No.106 of 2024 in O.A.No.6 of 2024.

For Petitioners	:	Mr.Srinath Sridevan Senior Counsel for Mr.P.S.Suman
For Respondents	:	Mr.Raghunathan



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for M/s.T.S.Gopalan & Co.
for R-1

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

Petitioners are impugning an order dated 01.07.2024 passed by the Debts Recovery Tribunal (DRT) in an interim application made by respondents condoning a delay of 128 days. The DRT observed that the explanation for the delay was satisfactory.

2. The grievance of petitioners is that they were not heard when the interim application was disposed of.

3. In our view, since it was a discretionary order and delay was only in re-presentation of the O.A., we see no reason to interfere. At the same time, all rights and contentions of petitioners are kept open, including to contest the interest being charged for the further delayed period. We clarify that we have not expressed any opinion and the DRT will decide the same on its own merits.



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Civil Revision Petition is, accordingly, disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(K.R.SHRIRAM., CJ.)

**(SENTHILKUMAR
RAMAMOORTHY, J.)**

15.10.2024

Index : Yes/No
NC : Yes/No

sra



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IFSC Code: 004804, 86, Rajaji Salai,
Chennai 600 002.
6. The Registrar,
Debts Recovery Tribunal-1,
Chennai.



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THE HON'BLE CHIEF JUSTICE
AND
SENTHILKUMAR RAMAMOORTHY,J.

(sra)

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