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

+ W.P.(C) 3387/2024 & C.M.Nos.13890-13891/2024

STATE BANK OF INDIA

.....Petitioner

Through: Mr.Ankur Mittal with Ms.Yashika
Sharma, Advocates.

versus

ATUL PUNJ

.....Respondent

Through: Mr. Rajeeve Mehra, Sr.Advocate with
Mr.Pallav Saxena, Ms.Akriti Singh,
Ms.Nipun Sharma, Mr.Diwaker Goel,
Ms.Shruti, Ms.Supreeti Chauhan and
Mr.M.N.Samar, Advocates.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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29.07.2024

1. Present writ petition has been filed challenging the order dated 06th May, 2022 passed by DRT-II, Delhi in IA No.409/2022 in OA No.400/2020 and seeking a direction to DRAT to expeditiously decide the Regular Appeal No.66/2022 in a time bound manner. The petitioner also seeks direction to NCLT, Principal Bench, New Delhi to decide CP(IB) No.941(ND)/2020 uninfluenced by the order dated 06th May, 2022 passed by DRT-II, Delhi.
2. It is pertinent to mention that vide Order dated 06th May, 2022, DRT-II allowed the application under Order VII Rule 11 of CPC, 1908 and dismissed the OA filed by the petitioner-bank on the ground that deeds of personal guarantees dated 21st May, 2015 and 23rd February, 2018 furnished by the respondent have been discharged.



3. On 18th March, 2024, this Court has stayed the proceedings before the NCLT being CP(IB) No.941(ND)/2020.

4. Today learned senior counsel for the respondent states that DRAT has concluded the final hearing in Regular Appeal No.66/2022. He further states that DRAT has now commenced hearing arguments in a connected appeal filed by the IDBI Bank.

5. Keeping in view the aforesaid developments, this Court disposes of the present writ petition along with the pending applications confirming the interim order dated 18th March, 2024 till the disposal of the Regular Appeal No.66/2022. To make things clear beyond controversy, it is clarified that the NCLT shall not rely on the order dated 06th May, 2022 passed by the DRT-II, Delhi till the Regular Appeal No.66/2022 is decided by the DRAT. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 29, 2024
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