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

+ **W.P.(C) 8050/2024**

INDIA RESURGENCE ARC PRIVATE LIMITED Petitioner

Through: Mr.Sanjeev Singh, Advocate (through
VC) with Ms.Mudrakshi, Advocate.

versus

SH. SATPAL NANDRAJOG & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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29.05.2024

CM APPL.33100/2024

1. Allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

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3. Present writ petition has been filed seeking expeditious disposal of Securitization Application being TSA No. 558 of 2022 (previously SA No. 151 of 2017) titled *Satpal Nandrajog vs. Religare Finvest Ltd. & Ors.* pending before the Debts Recovery Tribunal-II, New Delhi (“DRT”), preferably on day-to-day basis.

4. Learned counsel for the Petitioner states that the securitization application was filed by the Respondents in June, 2017 and has been pending adjudication for almost seven years. He states that in accordance with Section 17(5) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act,



2002), the maximum period to dispose of an SA is four months. He further states that frustrated by the unreasonable delays, the Petitioner filed an application on 30th March, 2021 before the Debts Recovery Appellate Tribunal, Delhi (“**DRAT**”) under Section 17(6) of the SARFAESI Act, 2002, seeking early hearing and immediate disposal of the SA pending before the DRT-I, Delhi at the earliest.

5. Vide order dated 25th June, 2021, DRAT, Delhi disposed of the said application with direction to the DRT to finally dispose of the SA within three months from 28th July, 2021. He states that the said three months expired on 28th October, 2021, and since then the SA has been pending for more than two and a half years. He contends that this delay has caused great prejudice to the Petitioner, who is a custodian of public money. He submits that speedy trial and justice is a fundamental right which flows from Article 21 of the Constitution of India.

6. Keeping in view the aforesaid as well as the order dated 25th June, 2021 passed by the DRAT, this Court directs the DRT to hear and decide the TSA No.558/2022 as expeditiously as possible preferably on a day-to-day basis from 5th July, 2024 i.e. from the next date of hearing.

7. With the aforesaid direction, the present writ petition stands disposed of. The DRT is directed to file a status report with the Registry of this Court by 30th August, 2024.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 29, 2024/TS