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

+ W.P.(C) 16385/2023 & C.M.Nos.65955/2023

KARNATAKA BANK LIMITED

..... Petitioner

Through: Mr.Sumeet Batra, Advocate.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr.Ravi Prakash, CGSC with
Ms.Usha Jamnal, Advocate for UOI.
Mr.Aditya Guha, Advocate for R-2 to
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CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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05.01.2024

1. Present writ petition has been filed seeking a direction to Debt Recovery Appellate Tribunal (DRAT), New Delhi to decide the Appeal No.451/2018 titled as "*Karnataka Bank Ltd. versus M/s Dhir International Pvt. Ltd.*" pending before the DRAT, within a time-frame of two weeks.

2. Learned counsel for the petitioner-Bank states that the Debt Recovery Tribunal (for short 'Tribunal') was pleased to pass a final order dated 27th June, 2018 vide which the Tribunal held that the declaration of the account of the respondent as Non-Performing Assets by the petitioner-Bank is illegal and consequently all Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 proceedings taken by the respondents were quashed. Further, the Tribunal was pleased to dismiss the



relief of counter-claim of INR 177,56,00,000/-(Rupees One Seventy-Seven Crores and Fifty-Six lacs only) claimed by the petitioner-Bank.

3. Learned counsel for the petitioner-Bank states that being aggrieved from the order passed by the Tribunal, the petitioner-Bank preferred an appeal before the DRAT on 8th August, 2018. He states that the said appeal has been pending consideration before the DRAT since that date. He emphasizes that since 06th May, 2022, the matter has been repeatedly adjourned.

4. Keeping in view the fact that the appeal has been pending before the DRAT for a very long time, this Court disposes of the present writ petition along with the pending application with a direction to the DRAT to decide the petitioner-Bank's appeal as expeditiously as possible preferably within three months from the next date of hearing. This Court clarifies that it has not expressed any opinion on the merit of the controversy. The rights and contention of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JANUARY 5, 2024
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