

22.01.2025
Item No.10
gd/ssd

MAT/76/2025
SHRIRAM HOUSING FINANCE LIMITED AND ANR.
VS
MAHUYA SINGH AND ORS.
IA NO: CAN/1/2025

Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee
..for the Appellants.

Mr. Kamalesh Bhattacharya,
Mr. Balaram Sardar,
Ms. Emon Bhattacharya
..for the Respondents.

1. We have heard the learned advocates for either of the parties.

2. At the request and with the consent of the learned advocates for the parties, the appeal and the writ petition are disposed of by this common judgment and order.

3. This intra court appeal is directed against the interim order passed in the writ petition dated 30.12.2024 by which the learned Single Bench had granted an order of stay of the notice dated 23.12.2024 till 27.1.2025.

4. The learned advocate appearing for the respondent/writ petitioners on instructions, submitted that the respondent/writ petitioners are desirous of approaching the Debts Recovery Tribunal under Section 17 of the Act and the request that the writ petition as well as this appeal may be disposed of but a

breathing time may be granted, since the order of interim stay passed by the learned Single Bench would expire on 27.1.2025.

5. Considering the above submission, the writ petition as well as this appeal are disposed of by directing the appellants to prefer an application under Section 17 of the Act before the Debts Recovery Tribunal, not later than 12th February, 2025 and the order of interim stay granted by the learned Single Bench till 27.1.2025 is extended till 19th February, 2025 and it is open to the respondent/writ petitioners to pray for appropriate orders before the learned Tribunal.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)