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

+ W.P.(C) 2583/2025 and CM APPLs. 12297-99/2025

M/S COBRA INSTALACIONES Y SERVICIOS INDIA PVT LTD

.....Petitioner

Through: Mr S. Ganesh, Sr. Advocate with Mr  
Shammi Kapoor and Mr Gaurav  
Varma, Advocates.

versus

STATE BANK OF INDIA CENTRAL OFFICE & ORS.

.....Respondents

Through: Mr S.L. Gupta, Advocate for R1.

+ W.P.(C) 2593/2025 and CM APPLs. 12374-76/2025

M/S COBRA INSTALACIONES Y SERVICIOS INDIA PVT LTD

.....Petitioner

Through: Mr S. Ganesh, Sr. Advocate with Mr  
Shammi Kapoor and Mr Gaurav  
Varma, Advocates.

versus

STATE BANK OF INDIA CENTRAL OFFICE & ORS.

.....Respondents

Through: Mr S.L. Gupta, Advocate for R1.

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**HON'BLE MR. JUSTICE TEJAS KARIA**

**ORDER**

**03.03.2025**

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1. The petitioner has filed the present petitions, *inter alia*, impugning a



judgment dated 23.11.2023 passed by the Debt Recovery Tribunal-II in OA No.68/2012 whereby the petitioner has been held to be jointly and severally liable to pay a sum of ₹47,93,24,016/- along with interest @ 12% per annum from the date of filing of the OA till the date of realization. Concededly, the petitioner has a remedy of an appeal under the Recovery of Debts and Bankruptcy Act, 1993 before the Debt Recovery Appellate Tribunal (DRAT). The petitioner had approached the learned DRAT, however, the petitioner's appeal was not entertained for want of necessary pre-deposit.

2. In ***Kotak Mahindra Bank Pvt. Limited v. Ambuj A. Kasliwal and Others:(2021) 3 SCC 549***, the Supreme Court held that the requirement of minimum pre-deposit cannot be waived and, therefore, we find no infirmity with the decision of the learned DRAT for insisting on the pre-deposit for entertaining the appeal.

3. The petitioner had filed petitions seeking similar relief that is impugning orders dated 23.11.2023 passed by the Debts Recovery Tribunal in OA 68/2012 being WP(C) 9634/2024 and WP(C) 9635/2024. The said petitions were listed on 16.07.2024 and the learned Senior Counsel appearing for the petitioner had “after some arguments” sought withdrawal of the said petitions. The said request was acceded to and those petitions were dismissed as withdrawn with liberty to the petitioner to file appropriate proceedings in accordance with law.

4. It is also material to note that the petitioner had approached the Supreme Court by filing a special leave petition being SLP No. 20193/2024 impugning an order dated 16.07.2024 passed by this court. The said petition was also dismissed as withdrawn by an order dated 12.11.2024.

5. This is now the second round of the similar litigation commenced by



the petitioner after having taken a chance earlier before this court. We find no ground to entertain the present petitions and the same are dismissed.

**VIBHU BAKHRU, J**

**TEJAS KARIA, J**

**MARCH 03, 2025/tr**

*Click here to check corrigendum, if any*