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

+ W.P.(C) 12381/2025, CM APPL. 50468/2025 (Ex.) & CM APPL. 50469/2025 (Stay)

**MS SAMRAT SWEETS BAKERY AND
RESTAURANT**

.....Petitioner

Through: Ms. Bansuri Swaraj, Sr Adv.
with Mr. Tanmaya Mehta, Mr.
Sanyam Khetarpal, Mr. Nitesh
Goyal, Ms. Lekha, Ms. Lisa
Sankrit, Mr. Paritosh Anil, Mr.
Saurabh Guha & Ms. Rasika,
Advs.

versus

**OXYZO FINANCIAL SERVICES PVT. LTD.
AND ORS**

.....Respondents

Through: Mr. Vishal Arun Mishra, Mr.
Rishabh Jain, Ms. Rupali
Panwar, Mr. Shubham Gupta,
Mr. Avinash Kumar Singh,
Advs.

**CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

**ORDER
18.08.2025**

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1. The present Writ Petition has been filed under Articles 226 and 227 of the Constitution of India, seeking setting aside of the order dated 30.07.2025, passed by the Hon'ble Debts Recovery Tribunal-II, Delhi, in I.A. No. 2049 of 2025 in SA/117/2025.

2. Learned counsel for the Petitioner submits that although the



Petitioner has approached the Debts Recovery Appellate Tribunal (DRAT), due to the non-availability of the Presiding Officer and the resultant delay in adjudication, the Petitioner has been constrained to invoke the writ jurisdiction of this Hon'ble Court.

3. After arguing for some time, learned counsel for the Petitioner seeks permission to withdraw the writ petition, in view of the notification dated 11.08.2025, which reads as under:

"In pursuance to DoP&T approval vide O.M No. 18/25/2021-EO (S.M-II) Part dated 08.08.2025 and in exercise of powers conferred by Section 8(3) of the Recovery of Debts and Bankruptcy Act, 1993, the Central Government hereby entrusts the additional charge for the post of Chairperson, Debts Recovery Appellate Tribunal, Delhi, to Justice (Retd.) Anil Kumar Srivastava, Chairperson, Debts Recovery Appellate Tribunal, Kolkata w.e.f 12.08 2025 for a period of six months, or until further orders, or till the joining of a regular incumbent whichever is the earliest.

(S D Sharma)

Under Secretary to the Government of India

*The Manager
Government of India Press.
Minto Road,
New Delhi- 110001"*

4. In view of the above, the present Petition along with pending application(s), if any, is dismissed as withdrawn.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

AUGUST 18, 2025/v/ds