



\$~43

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

+ W.P.(C) 13561/2025, CM APPL. 55592/2025 (Dir.), CM APPL. 55593/2025 (Ex. from filing the certified copy of order dt. 05.08.2025) & CM APPL. 55594/2025 (Ex.)

METENERE GLOBAL LTDPetitioner
Through: Ms. Purti Gupta, Ms. Henna George, Ms. Sunidhi Sah & Ms. Pooja Aggarwal, Advs.

versus

NATIONAL ASSET RECONSTRUCTION COMPANY LTDRespondent
Through: Mr. Rajive R Raj, Sr. Adv. with Ms. Ayushi Srivastava & Mr. Rishi Singh, Advs.

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

% **ORDER**
03.09.2025

1. The Petitioner, while invoking extraordinary jurisdiction under Article 226 read with Article 227 of the Constitution of India, calls in question the concurrent orders passed by the learned Debt Recovery Tribunal [“DRT”] dated 23.06.2025 as well as the learned Debt Recovery Appellate Tribunal [“DRAT”] dated 05.08.2025. By way of these orders, the request of the Petitioner was declined to cross-examine one, Mr. Vijay Kumar Sinha, who had filed evidence by way of affidavit on behalf of IDBI Bank Limited.



2. The Petitioner, herein, is a corporate guarantor. The loan was sanctioned and disbursed in the year 2005. Till 2014, some amount was repaid. Thereafter, there was default in repayment.

3. It is evident that Mr. Vijay Kumar Sinha has deposed only on the basis of the record. He was not an officer who was present at the time of advancing the loan or had dealt with the disbursement of the credit facilities.

4. It has been held by the Hon'ble Supreme Court in ***Standard Chartered Bank v. Dharminder Bhohi And Ors.***, [(2013) 15 SCC 341] that proceedings before the learned DRT are summary in nature.

5. The learned Tribunal has given cogent reasons to decline the Petitioner's request to cross-examine the witness, as it has been found that the Petitioner is trying to delay the proceedings.

6. Learned counsel appearing for the Petitioner, while relying upon the judgment of the Hon'ble Bombay High Court in ***Sonu Textiles, Mumbai v. Punjab National Bank, Mumbai*** [2008 (2) Maharashtra Law General 218], submits that an opportunity should be granted to cross-examine the witness once a request is made.

7. It is evident from a perusal of Para 8 of the aforementioned judgment that a request for cross-examination of witnesses is required to be considered by the learned Tribunal in accordance with law, and it is not necessary that in each and every case the cross-examination of the witness should be allowed.

8. In the present case, the learned DRT as well as the learned DRAT have concurrently found that the Petitioner has failed to make a case for an opportunity to be granted to cross-examine Mr. Vijay Kumar Sinha.

9. In view of the aforesaid, this Court is of the opinion that no



ground is made to interfere with the Impugned Judgement.

10. Accordingly, the present Appeal, alongwith pending application(s), if any, is dismissed.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 3, 2025/ v/va