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

+ **W.P.(C) 19375/2025**

M/S SIVA RENEWABLE POWER AND ENERGY LIMITED

.....Petitioner

Through: Mr. Varun Shankar, Ms. Ishita
Dhaiya and Mr. Harsh Rastogi,
Advocates.

versus

**INDIA RENEWABLE ENERGY DEVELOPMENT AGENCY
LIMITED AND ANR**

.....Respondents

Through: Ms. Varsha Banerjee and Mr.
Abhigyan, Advocate for R-
1/IREDA.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

22.12.2025

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1. The present Writ Petition, filed under Articles 226 & 227 of the Constitution of India, challenges the final Order dated 07.11.2025, passed by the learned Presiding Officer, Debts Recovery Tribunal-III [“DRT-III”], Delhi in T.A. No. 146/2022.

2. Admittedly, a statutory Appeal against the said Impugned Order is maintainable before the learned Debts Recovery Appellate Tribunal [“DRAT”].

3. Learned counsel for the Petitioner contends that the Petitioner was not granted opportunity of hearing and the remedy of Appeal is not available because the Petitioner cannot deposit the mandated pre-deposit.

4. This Court has heard the learned counsel for the Petitioner and



considered their submissions.

5. A perusal of Order dated 07.11.2025 passed by learned DRT-III shows that the Petitioner was represented by counsel and the Order was passed in his presence.

6. Moreover, it is evident that the learned DRT-III has found that an amount of Rs. 129,68,99,922/- less the amount received from the sale/release of mortgaged property along with cost and *pendente lite* and future interest is pending.

7. We are of the view that the Petitioner already has a remedy to Appeal before the appropriate forum i.e. the DRAT. Therefore, this Court does not find it apposite to exercise its Writ Jurisdiction.

8. Hence, the Petitioner, if so advised, may avail the statutory remedy.

9. Accordingly, the present Writ Petition stands disposed of in the aforesaid terms.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
DECEMBER 22, 2025/tk/kr/dj