



Review Application Nos.34 to 36 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM :

THE HONOURABLE MR. MANINDRA MOHAN SHRIVASTAVA,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

Review Application Nos.34 to 36 of 2016

A.L.Shah
8, Rule De La Compagnie
Pondicherry 605 001.

Appellant(s)

Vs

1. The Authorised Officer
State Bank Of Hyderabad
Pondicherry Branch
108, Kamaraj Salai
Pondicherry 605 011.

2. R.Gopal
65, 3rd Cross Thirumal Ngr
Kosapalayam
Pondicherry 605 013.

Respondent(s)

Rev.Appl.No.35 of 2016

A.L.Shah
8, Rule De La Compagnie
Pondicherry 605 001.

Appellant(s)

Vs

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Pondicherry 605 013.

Respondent(s)

Rev.Appl.No.36 of 2016

A.L.Shah
8, Rule De La Compagnie
Pondicherry 605 001

Appellant(s)

Vs

1. The Authorised Officer
State Bank Of Hyderabad
Pondicherry Branch
108, Kamaraj Salai
Pondicherry 605 011.

2. G.Chandrasekar
Prop.Sree Devi Abhirami Rice
Store, 32, Thatcher Street
Nellithope, Pondicherry.

3. R.Gopal
Prop.Devi Abhirami Transport
65, 3rd Cross Thirumal Nagar
Kosapalayam
Pondicherry 605 013.

Respondent(s)



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Prayer : Petitions filed under Order 47, Rule 1 of the CPC read with Section 114 of CPC to review the order dated 02.02.2016 passed in CRP Nos.1728, 1729 & 1730 of 2015 respectively.

For Appellant(s): Mr.K.Ravi
Senior Counsel
For Mr.R.Murugan
For M/s.Rugan And Arya

For Respondent(s): No Appearance - R1
Not Ready in Notice - R2 & R3

ORDER

(Order of the Court was made by
the Hon'ble Chief Justice)

Applications seeking review of the common order passed by this Court on 18.01.2016 in three CRPs are on the premise that even though petitioner was held liable for payment of fee as provided under Rule 13(1)(c) or 13(1)(d) of the Security Interest (Enforcement) Rules, 2002, as the case may be, being any other person, applications are filed seeking recall of the operative part of the order which grants petitioner two weeks' time for compliance of the office objection Nos.2 and 3 raised by the office relating to non-payment of the requisite fee.



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2. Learned counsel would submit that even though petitioner had disputed the applicability of the provisions contained in Rule 13(1)(c) or 13(1)(d) of the Rules in the matter of appeal before the Debt Recovery Appellate Tribunal, that amount was, in fact, deposited by petitioner while filing appeals. The order passed by the Debt Recovery Appellate Tribunal, which was assailed in the CRPs, wrongly proceeded as if apart from other office objections not being complied with by petitioner, even the requisite fee as required under Rule 13(1)(c) or 13(1)(d) was not paid by petitioner.

3. Learned counsel drew attention of this Court to the averments made in three CRPs, as also the amount stated to be deposited at the time of filing of appeals before the Debt Recovery Appellate Tribunal.

4. It appears that it is not the declaration of law as given by this Court in the order which is sought to be reviewed, but only operative part of the order by which the Court proceeds to grant



time to petitioner to comply with the objections as if petitioner had not paid the fee as is found payable by him under Rule 13(1)(c) or 13(1)(d) as the case may be.

5. We are of the view that it would suffice to clarify our order under review in the manner that the amount which has been actually deposited by petitioner while filing three appeals shall be duly verified by the Debt Recovery Appellate Tribunal. If the fees which has actually been paid by petitioner is found to be in accordance with the requirement under Rule 13(1)(c) or 13(1)(d) as the case may be, the Debt Recovery Appellate Tribunal shall proceed to examine the case on its own merits.

6. The operative part of the order, as contained in paragraph 32, is accordingly clarified in the manner as stated above. Thus, the issue of deposit of fees stands concluded. All other applications before the Debts Recovery Tribunal, including waiver application, shall now be decided on its own merits, taking into consideration that petitioner is neither borrower nor guarantor, but is any other



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person.

7. Review applications are disposed of.

(MANINDRA MOHAN SHRIVASTAVA, CJ) (G.ARUL MURUGAN,J)
02.01.2026

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

The Authorised Officer
State Bank Of Hyderabad
Pondicherry Branch
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

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