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

+ W.P.(C) 3923/2023 & CM APPL. 15284/2023, 46632/2023,  
46633/2023, 50797/2023 & 52661/2023

SANJIB BHUNIA & ORS.

..... Petitioners

Through: None.

versus

POONAWALLA FINCORP LTD & ANR.

..... Respondents

Through: Ms. Shweta Kapoor, Adv.

**CORAM:**

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

**HON'BLE MR. JUSTICE AMIT MAHAJAN**

**ORDER**

**10.10.2023**

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1. None appears for the petitioners.
2. None had appeared for the petitioners on the previous hearing as well, despite advance notice.
3. The learned counsel appearing for the respondents submits that the present petition has become infructuous. She points out that the petitioners had sought time to make a pre-deposit amount for maintaining their appeal before the learned Debts Recovery Appellate Tribunal. In addition, the petitioners had also sought an order restraining respondent no.1 and 2 from taking physical possession of the secured asset being, Second Floor, D-111, Village Tihar, Ajay Enclave, New Delhi 110018 (hereafter '**the subject property**') till the decision in their appeal. She submits that the possession of the subject property has been taken by respondent no.1 and 2 and in any



event, the petitioners have been granted time to make a pre-deposit which is mandatory for maintaining the appeal. It is also seen that the petitioners have filed an application being CM. Appl. No. 52661/2023 seeking withdrawal of the present petition.

4. In view of the above, this petition is dismissed in default. All pending applications are also disposed of.

**VIBHU BAKHRU, J**

**AMIT MAHAJAN, J**

**OCTOBER 10, 2023**

Ch

*[Click here to check corrigendum, if any](#)*