

**BEFORE THE DEBTS RECOVERY
APPELLATE TRIBUNAL, AT: MUMBAI**

Present: Mr Justice Ashok Menon, Chairperson
M.A.No.86/2023(Expeditious Hearing)

Between

Oswal Shirish Dalichand H.U.F. Represented By ... Appellant/s
Karta Shirish Oswal

V/s

Debt Recovery Tribunal, Pune & Anr ...Respondent/s

Ms. Aarti Suvarna, Advocate for Appellant.

Mr. V.N. Ajikumar, Advocate for Respondent.

:- Order dated: 21/09/2023:-

The matter is taken up for hearing by way of a praecipe filed by the Appellant for seeking urgent relief.

The Appellant is in appeal seeking an expeditious disposition of the S.A. No. 191/2022 on the files of the Debts Recovery Tribunal, Pune (D.R.T). It is submitted that the matter has been pending for a long period and that the authorized officer of the Respondent bank is attempting the protract disposal of the S.A. A number of applications also have been filed by the Appellant which are pending consideration of the Tribunal.

2. The Ld. Counsel appearing for the Respondent bank submits that it is the Appellant who is protracting the matter by filing applications one after the other and moreover, he is also appearing in person to see that the S.A. does not get disposed of. Despite that, he has now come in appeal with a grievance of the matter not being expeditiously disposed of.

3. After hearing both sides, I find that the Respondent bank has raised contentions regarding the maintainability of the S.A. and it is also submitted that the objections have been raised to the effect that the S.A. has now become infructuous.

4. In view of the confirmation of the sale of the secured assets and taking the facts and circumstances into consideration, I direct the D.R.T to dispose of the S.A. itself as expeditiously as possible together with the application pending consideration as early as possible within a period of two months from the date of receipt of this order.

Sd/-
Chairperson

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