

IN THE DEBTS RECOVERY APPELLATE TRIBUNAL AT KOLKATA

Appl. Dy. No. 249 of 2023

**THE HON'BLE JUSTICE SHRI ANIL KUMAR SRIVASTAVA,
CHAIRPERSON**

17.08.2023

Smt. Ch. Manju

... Appellant

Vs.

The Recovery Officer, DRT 2 Hyderabad &
Ors

..... Respondents

For Appellant : Mr. Apyeun Gopal, I d. counsel.
Mr. Ch. Veda Vani, Id. Counsel.

For Respondent : Mr. Swapan Kr. Roy, Id. Counsel
Mr. S. Agarwal, Id. Counsel.

THE APPELLATE TRIBUNAL :

Heard learned counsel for the appellant and learned counsel for the respondents. At the very outset learned counsel for the appellant submits that appellant is prepared to make payment of dues which has been stated in the counter affidavit affirmed by Mr. P. Abraham George, Manager of respondent bank and filed before DRT-II Hyderabad wherein there is an admission that Rs.45.00 lakh is the due in respect of the appellant. It is further submitted that appellant is mortgager to the extent of the property mortgaged by her for securing the loan of the borrower. She is not a personal guarantor.

Learned counsel for the respondent submits though a counter affidavit was filed before DRT-II Hyderabad he needs instruction on this point.

Let the matter be listed on 06.09.2023 for hearing of appeal. It is made clear that no further adjournment shall be granted.

(Anil Kumar Srivastava, J)
Chairperson

Dated : 17.08.2023
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