

In the Court of the Principal District Judge,
Principal District Court, Kancheepuram.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**
Principal District Judge,
Principal District Court ,
Kancheepuram.

Thursday the 26th day of March 2026

IA.No.1/2025 in I.P. No.6/2024

The Manager,
Paytm Paylater
Aditya Birla Capital Ltd.,
Formerly Known as M/s. Aditya Birla Finance Limited
One Indiabulls Centre, Tower 1,
18th Floor, Jupiter Mill Compound 841,
Senapati Bapat Marg, Elphinstone Road
Mumbai-400013

...Petitioner/8th Respondent.

Vs

1. Sridhar

.. 1st Respondent/petitioner.

2. The Manager
Regd. Office, HDFC Bank House
Senapathi Bapat Marg, Lower Parel (west)
Mumbai-400013

3. The Manager
Axis Bank Ltd, NPC1, 5th Floor, CIGALEX
Plot No.1. T.5 MIDC
Airoli Knowledge Park
Airoli, Navi Mumbai,
Maharashtra -400708

4. The Manager, ICICI Bank,
ICICI Bank Tower,
Near Chakali Circle
Old Padra Road
Vadodara , Gujarat-390007

5. The Manager,
M/s. SBI cards & Payments Services Ltd.,
DLF Infinity Towers, Tower C, 12th Floor
Bloc 2, DLF Cyber city,
Gurugram-122002.
Haryana State.

6. The Manager,
Kotak Mahindra Bank Regd. Office
27BKC, C27, G Block
Bandrakurla Complex
Bandra (E)
Mumbai-400051

7. The Manager
RBL BankLtd., Regd Office
Ist lane, Shaupuri,
Kolhapur 416001
Maharashtra.

8. The Manager,
Kissht Si Creva Capital Services Pvt Ltd
Regd. Office, 10A/2, Floor GRD Plot 9A/9B
New Sion CHS, Swami Vallabhadas Marg
Road No.24, Sindhi Colony Sion
Mumbai
Maharashtra-400022

.. 2nd to 8th respondents/ 1st to 7th Respondents

This petition is coming on 12.02.2026 for final hearing before me in the presence of M/s. S.K.Mariyappan, J. Priya, Counsels appearing for the Petitioner and Tvgl. A. Karunanidhi, A. Ravichandran, S. Santhanakrishnan, Counsels for the 1st respondent and upon hearing the arguments on both sides and upon perusal of

records and having stood over the matter for consideration till this day, this court delivered the following

ORDER

Petition filed under Order IX Rule 7 C.P.C. to set aside the order dated 18.12.2024 passed against the petitioner/8th respondent in I.P. No. 6 of 2024.

2. The learned counsel for the petitioner/8th respondent would contend as follows. The petition was filed to adjudge the 1st respondent/petitioner as insolvent. M/s. Aditya Birla Finance Ltd., was amalgamated with M/s. Aditya Birla Capital Limited vide order dated 24.03.2025 passed by the NCLT and called as Aditya Birla Capital Limited. The case was listed on 18.12.2024 for filing vakalat. Since the amalgamation process was going on, the notice of this case was not promptly reported to the concerned department. Now, the counter statement is filed by the petitioner. Much prejudice and hardship would be caused to the petitioner if the exparte order is not set aside. Hence, that the petition be allowed.

3. The learned counsel for the 1st respondent/petitioner would contend as follows. The petitioner wantonly delayed the proceedings and deliberately failed to file the present petition in time. The petition was posted for orders on 12.12.2025. At that time, the present petition is filed. No proper reason has been disclosed. Hence, that the petition has to be dismissed.

4. Upon hearing both sides and having heard both sides, this court finds as follows. The petitioner/8th respondent has filed the present petition to set aside the exparte order dated 18.12.2024 on the ground that the petitioner was undergoing an amalgamation process and therefore, they were unable to file counter statement in time. Therefore, that the exparte order be set aside. Considering the nature of relief sought for by the 1st respondent/petitioner and in order to grant an effective opportunity to the petitioner/8th respondent to effectively participate in the proceedings, this court is inclined to allow this petition on payment of costs.

5. In result, this petition is allowed on condition that a cost of Rs.2,000/- be paid to the 1st respondent/petitioner on or before 08.04.2026. Call on 09.04.2026.

//This order has been partly dictated by me to the Stenographer, transcribed and typed by her in the computer, and partly typed by me in my laptop corrected and pronounced by me in the open Court on this the Thursday the 26th day of March 2026//

Principal District Judge,
Principal District Court,
Kancheepuram.

Exhibits and Witnesses on both side: NIL.

Principal District Judge,
Principal District Court,
Kancheepuram.

Draft/Fair Order
I.A.No.1/2025 in
I.P.No. 6/2024
D.D. 26.03.2026
Principal District Court ,
Kancheepuram.

