



\$~14 to 17

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

+ W.P.(C) 2694/2017

ORIENTAL BANK OF COMMERCE Petitioner

Through: Mr. A.K. Singla, Sr. Advocate with Mr.
S.K. Garg, Advocate.

versus

WISE INFRASTRUCTURE LTD. & ORS Respondents

Through: Mr. Hashmat Nabi with Mr. Vipin Pillai,
Advocates for R-1 & R-2.

Mr. Sudhir Nandrajog, Sr. Advocate with
Mr. Rajesh Raina, Advocate for
R-3/UPSIDC.

Mr. Sameer Chaudhary with Mr. Palosh
Agarwal, Advocates for R-4.

+ W.P.(C) 2715/2017 & CM APPL. No.11782/2017

ORIENTAL BANK OF COMERCE Petitioner

Through: Mr. A.K. Singla, Sr. Advocate with Mr.
S.K. Garg, Advocate.

versus

WISE INDUSTRIAL PARKS LTD. & ORS Respondents

Through: Mr. Hashmat Nabi with Mr. Vipin Pillai,
Advocates for R-1 & R-2.

Mr. Sudhir Nandrajog, Sr. Advocate with
Mr. Rajesh Raina, Advocate for
R-3/UPSIDC.

Mr. Sameer Chaudhary with Mr. Palosh
Agarwal, Advocates for R-4.

+ W.P.(C) 2721/2017 & CM APPL. No.11801/2017

KJS CONCRETE PVT LTD. Petitioner

Through: Mr. Sameer Chaudhary with Mr. Palosh
Agarwal, Advocates

versus

ORIENTAL BANK OF COMMERCE & ORS. Respondents

Through: Mr. A.K. Singla, Sr. Advocate with Mr.
S.K. Garg, Advocate for R-1.

Mr. Hashmat Nabi with Mr. Vipin Pillai,

W.P.(C) 2694/2017 & connected matters

Page 1 of 3



Advocates for R-2 & R-3.

Mr. Sudhir Nandrajog, Sr. Advocate with
Mr. Rajesh Raina, Advocate for
R-4/UPSIDC.

+ W.P.(C) 2722/2017 & CM APPL. No.11803/2017

KJS CONCRETE PVT LTD.

..... Petitioner

Through: Mr. Sameer Chaudhary with Mr. Palosh
Agarwal, Advocates

versus

ORIENTAL BANK OF COMMERCE & ORS. Respondents

Through: Mr. A.K. Singla, Sr. Advocate with Mr.
S.K. Garg, Advocate for R-1.

Mr. Hashmat Nabi with Mr. Vipin Pillai,
Advocates for R-2 & R-3.

Mr. Sudhir Nandrajog, Sr. Advocate with
Mr. Rajesh Raina, Advocate for
R-4/UPSIDC.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

%

27.04.2017

1. Petitioners in W. P. (C) 2694/2017, 2715/2017, 2721/2015 and 2722/2017 are aggrieved by an order dated 31.10.2016 passed by the learned Debts Recovery Appellate Tribunal (DRAT) in two sets of appeals i.e. Appeals No. 205/2015 and 206/2015 filed by the Respondent Nos.3/U.P. State Industrial Development Corporation (UPSIDC) against the order dated 12.02.2014, passed by the Debts Recovery Tribunal in two separate Original Applications filed by the Predecessor in interest of Oriental Bank of Commerce (OBC).

2. With the consent of the parties, W.P.(C) No. 2694/2017 shall be

W.P.(C) 2694/2017 & connected matters

Page 2 of 3



treated as the lead matter for purposes of advancing arguments.

3. At the request of the learned counsel for the Auction Purchaser/ KJS Concrete Pvt. Ltd., who states that the Senior Advocate leading him in the matter is unavailable today, list in the category of “*After Notice Misc. Matters*” on 17.08.2017.

CM APPL. No. 11666/2017 in W. P. (C) 2694/2017,
CM APPL No. 11782/2017 in W. P. (C) 2715/2017,
CM APPL No. 11801/2017 in W. P. (C) 2721/2017 and
CM APPL. No. 11803/2017 in W. P. (C) 2722/2017.

1. With the consent of the parties, the interim applications are disposed of with liberty granted to the applicants to approach the Court for relief, if necessary, at a later stage.

2. There is a dispute between UPSIDC and KJS Concrete Pvt. Ltd. as to which of them is in actual possession of the subject parcels of land on which no construction has been raised, nor are the plots bounded, by raising a wall. While refraining to go into this aspect for the present, in the interest of justice, it is directed that both UPSIDC and KJS Concrete Pvt. Ltd., who claim to be in possession of the subject parcels of land, shall maintain status quo with regard to their title and possession during the pendency of the appeals.

3. All the applications are disposed of.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

APRIL 27, 2017/afa

W.P.(C) 2694/2017 & connected matters

Page 3 of 3