

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No.4899/2004

M/s Amazing Realtors (Pvt.) Ltd., presently known as M/s Splendor Landbase Limited through its Director Shri Vikram Bhatia, R/o F-38/2, Okhla Phase-II, New Delhi (India)

-----Petitioner

Versus

1. State Bank of Bikaner and Jaipur, Branch Jhotwara, Jaipur.
2. M/s Electra Jaipur Ltd., through its Managing Director, Shri Ajay Jain, R/o 42, Industrial Area, Jhotwara Road, Jaipur.
3. The Recovery Officer, Debt Recovery Tribunal, Jaipur.
4. Balaji Industrial Products Ltd. Having its registered office at 48, Industrial Area, Jhotwara, through its Director Shri N.P. Khowala.
5. M/s Unisson Organics Pvt. Ltd. through its director Suresh Kumar S/o Shri Goptal Lal aged around 60 years, Mehta Bhawan, Chaura Rasta, Jaipur.
6. Asset Reconstruction Company (India) Ltd., Archil Arms Office, 208, Sangam Tower, 190, 2nd Floor, Church Road, Jaipur.

-----Respondents

For Petitioner(s)	:	None present
For Respondent(s)	:	Mr.Nitin Jain Mr.Palash Gupta for Mr.Sandeep Pathak Mr.Vibhanshu Sharma for Ms.Anita Agarwal

JUSTICE ANOOP KUMAR DHAND

Order

09/04/2025

1. None has put in appearance on behalf of the petitioner.
2. Even on earlier occasions also, whenever the matter was listed before this Court, i.e., on 28.03.2025, 20.03.2025, 12.03.2025, 24.01.2024, 19.11.2012 and on many occasions, no one has put in appearance on behalf of the petitioner.

3. It appears that the petitioner has lost his interest in prosecuting this matter. Even otherwise also, this petition is pending before this Court since 2004 and the validity of the order dated 16.07.2004 has been assailed in this petition.

4. By passing the order dated 16.07.2004, the Debt Recovery Officer, Debt Recovery Tribunal has rejected the objections submitted by the petitioner. It is apprised at the Bar by learned counsel for the respondents that the impugned order is appealable under Section 30 of the The Recovery of Debts and Bankruptcy Act, 1993 (for short, "the Act of 1993"), but without availing the alternative statutory remedy of filing appeal, the petitioner has straightaway approached this Court, by way of filing this petition.

5. Considering the above factual aspect of the matter and looking to the fact that the petitioner has alternative efficacious remedy of filing appeal under Section 30 of the Act of 1993, the instant writ petition stands disposed of granting liberty to the petitioner to file statutory appeal before the appropriate Authority.

6. Stay application and all applications (pending, if any) also stand disposed of.

(ANOOP KUMAR DHAND),J