

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).26287/2010

(From the judgement and order dated 03/06/2010 in
of The HIGH COURT OF DELHI AT N. DELHI)

WP No. 3820/2010

KALPANA CHAWLA MEM.EDUCATIONAL STY.&ORS.

Petitioner(s)

VERSUS

PUNJAB NATIONAL BANK & ORS.

Respondent(s)

(With appln(s) for permission to place addl. documents on record
and prayer for interim relief and office report)

Date: 15/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s)

Mr. Rakesh K. Khanna, Sr.Adv.
Mr. Aseem Mehrotra, Adv.
Mr. Vishal Panwar, adv.
Ms. Seema Rao, Adv.
Mr. Abhijat P. Medh,Adv.

For Respondent(s)

Mr. Dhruv Mehta, Sr.Adv.
Mr. Ankur Mittal,Adv.

Mr. B.B. Bagga, Adv.
Mr. Gautam Godara, Adv.
Mr. Jay Kishor Singh ,Adv

UPON hearing counsel the Court made the following
O R D E R

Having heard learned counsel for the parties, we
are of the view that being in the nature of a
discretionary order no ground is made out for our
interference with the impugned judgment, upholding the
directions given by the Debts Recovery Appellate
Tribunal vide its order dated 29th March, 2010, in

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exercise of our jurisdiction under Article 136 of the
Constitution of India. The Special Leave Petition is
dismissed accordingly.

However, having regard to the fact situation,
where admittedly the respondent - Bank has already
received an amount which is much more than what was

claimed by it from the petitioner Society, we direct that if the petitioner Society deposits 25% of the amount, claimed as due from them by the Bank, within eight weeks from today, their Appeal bearing No. 125 of 2010 in S.A. 115/2009 (Chandigarh-I) shall be revived and disposed of on merits.

It is pointed out that the possession of the subject property has already been delivered to the auction-purchaser. If that is so, it will be open to the petitioner to implead the auction purchaser as a party before the Tribunal, if so advised.

(Sukhbir Paul Kaur)
Court Master

(Kusum Gulati)
Court Master