

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

**SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 23156/2024
(Arising out of impugned final judgment and order dated 13-10-2023
in WP(C) No. 13579/2023 passed by the High Court Of Delhi At New
Delhi)**

SATYANARAYANA RAJU DATLA

Petitioner(s)

VERSUS

MANNEM LOKANADHA RAJU & ORS.

Respondent(s)

**(IA No.151150/2024-CONDONATION OF DELAY IN FILING and IA
No.151151/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
and IA No.151153/2024-CONDONATION OF DELAY IN REFILING / CURING
THE DEFECTS)**

Date : 22-07-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH

HON'BLE MR. JUSTICE PRASANNA BHALACHANDRA VARALE

**For Petitioner(s) Mr. Purna Chandra Patnaik, AOR
Mr. Pravin Kumar Kashyap, Adv.
Mr. Hemant Mishra, Adv.**

For Respondent(s)

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

Delay condoned.

**The High Court by the impugned order declined to
entertain the writ petition on the ground that the
petitioner therein had an alternate remedy of
approaching the Debts Recovery Appellate Tribunal.
However, while disposing of the matter the High Court
has observed in a line that the submissions advanced**

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by the counsel for the petitioner *prima facie* stand merited. It is this observation by the High Court which is troubling the petitioner. The petitioner is the auction purchaser and it is submitted that in view of the aforesaid observations, his case may be prejudiced before the Debt Recovery Appellate Tribunal and the Debt Recovery Tribunal.

We are of the view that there was no occasion for the High Court to make such an observation regarding *prima facie* merit, once the petition was dismissed on the ground of alternate remedy.

We accordingly, direct that the aforesaid observation shall stand deleted from the impugned order.

The Special Leave Petition is disposed of accordingly.

Pending application(s), if any, shall stand disposed of.

(SONIA BHASIN)
COURT MASTER (SH)

(RANJANA SHAILEY)
COURT MASTER (NSH)