

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1642 OF 2011
(Arising out of SLP(C) No.24595/2009)

JASVINDER SINGH SOHAL

Appellant(s)

:VERSUS:

INDIAN BANK AND ANR.

Respondent(s)

O R D E R

Leave granted.

We have heard the learned counsel for the parties.

This appeal emanates from the judgment and order dated 18.12.2008 passed by the High Court of Judicature at Bombay in Writ Petition No.5627/2008.

The appellant was directed to deposit Rs.80 lakhs as a condition for getting his appeal heard by the Debts Recovery Appellate Tribunal, Bombay. The Appellant could not deposit the said amount within the stipulated period, hence his appeal stood dismissed.

It is not disputed that the entire amount of Rs.80 lakhs has now been deposited by the appellant. In the facts and circumstances of this case, the delay in depositing the said amount is condoned.

In the facts of this case, we deem it appropriate to direct that the appeal, which was dismissed in default for not depositing the amount in time, shall be restored to its original number and be heard expeditiously by the Tribunal.

This appeal is disposed of with these observations.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
February 11, 2011.



JUDGMENT