

(2020) 04 DEL CK 0032

In the Delhi High Court

Case No : Civil Writ Petition No. 5 Of 2020

Anant Raj Limited

APPELLANT

Vs

Yes Bank Limited

RESPONDENT

Date of Decision : 03-04-2020

Acts Referred:

Citation : (2020) 04 DEL CK 0032

Hon'ble Judges : Sanjeev Sachdeva, J

Bench : Single Bench

Advocate : Saket Sikri, Nikhil Singhvi, Ashwani Chawla, Mahesh Bansal, Navin Trivedi

Judgement

1. The hearing was conducted through Video Conferencing.
2. Pursuant to order dated 01.04.2020 respondents have filed their counter affidavit, however, annexures to the counter affidavit were not sent along with the counter affidavit.
3. Mr. Ashwani Chawla, learned counsel appearing for the Respondent, submits that Annexures R-2 & R-3 to the counter affidavit were forwarded today at around 1.30 PM. He prays for time to file the remaining annexures to the counter affidavit.
4. Mr. Ashwani Chawla, under instructions, submits that the declaration of the status of an account as a Non Performing Asset is an automated process and the computer system automatically picks up any default which has not been serviced for a period of 90 days and declares said account as a non performing asset.
5. Learned counsel submits that the petitioner was in default with regard to the instalment which was payable on 01.01.2020, accordingly, the

computer system automatically on 31.03.2020 changed the status of the account of the petitioner as a non performing asset.

6. Mr. Sikri, learned counsel appearing for the petitioner submits that copy of the counter affidavit has not been received. A copy of the counter

affidavit along with its annexures be forwarded to Mr. Sikri during the course of the day. Rejoinder to the counter affidavit be filed by email latest by 2

PM on 05.04.2020.

7. List on 06.04.2020.

8. In the meantime, no further coercive action shall be taken against the petitioner pursuant to declaration of the status of the petitioner as a non performing asset.

9. The order be uploaded on the website forthwith.

10. Copy of the order be also forwarded to the counsels through email.