

Item-
5 08-09-2026

CO 1483 of 2026

sg Ct. 6

Bandaru Babu, proprietor of
M/s. Sri Lakshmi Srinivasa Traders & Ors.
Versus
City Union Bank Limited

Mr. Subhabrata Datta
Mr. Aranya Saha
...for the petitioners

This application under Article 227 of the Constitution of India is at the instance of the borrower and is directed against an order being No. 6 dated 9th April, 2026 passed by the learned Debts Recovery Appellate Tribunal in Misc. Appeal Diary No. 267 of 2026 arising out of I.A. No. 1425 of 2020 in T.A. No. 3318 of 2017 passed by the learned Debts Recovery Tribunal-II, Hyderabad.

The learned advocate appearing for the petitioners submits that through inadvertence, an application under Article 227 of the Constitution of India has been filed before this Court. He places reliance upon order passed by this Court in **NCDEX e Markets Limited vs. Authorized Officer, Canara Bank & Ors.** reported in **2025 SCC OnLine Cal 7215** and submits that it has been specifically held therein that when DRAT Kolkata passed an order in exercise of appellate jurisdiction over DRT located outside the State of West Bengal, the High Court upon the State within whose jurisdiction the DRT is physically located would have the power of superintendence under Article 227 of the Constitution of India over DRAT, Kolkata.

In view of the said decision, the learned counsel for the petitioners prays for leave to withdraw this civil revisional application with liberty to approach the appropriate forum.

In the light of the submission made by the learned advocate for the petitioners, this civil revisional application stands dismissed as withdrawn with liberty to the petitioner to approach the appropriate forum in accordance with law.

The learned advocate-on-record for the petitioners shall be permitted to take back the certified copy of the order impugned by replacing the same with the photostat copy thereof.

(Hiranmay Bhattacharyya, J.)