

# AN APPEAL BEFORE DRAT CHALLENGING THE INTERIM ORDER OF THE DRT

IN THE DEBTS RECOVERY APPELLATE TRIBUNAL, \_\_\_\_\_ MISC. APPEAL NO. \_\_\_\_\_ OF 20\_\_\_\_ IN MISC. APPLICATION NO. \_\_\_\_\_ OF 20\_\_\_\_ IN ORIGINAL APPLICATION NO. \_\_\_\_ OF 20\_\_\_\_

(Memorandum of Appeal under Section 20 of the Recovery of Debt due to Bank and Financial Institutions Act, 1993)

A company incorporated under the

Companies Act, 1956/2013 and

having its registered office at \_

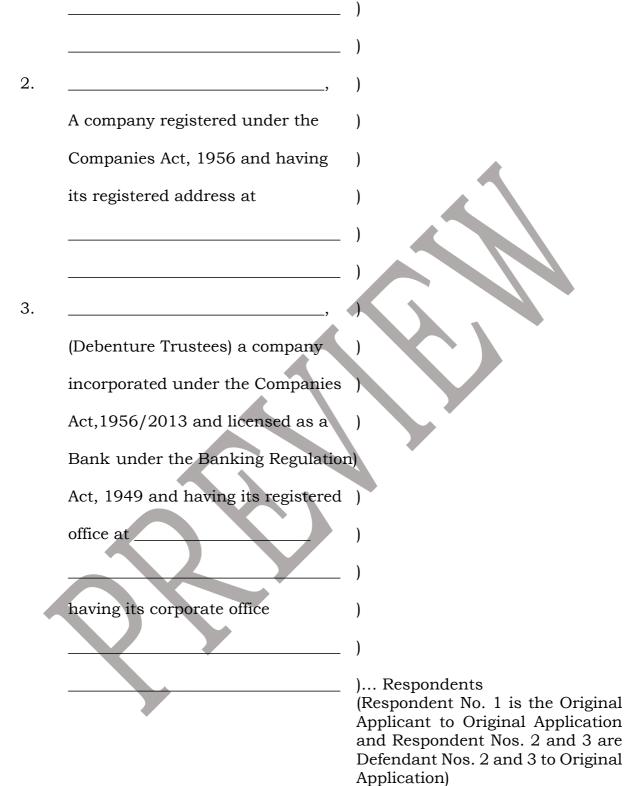
Vs

)...Appellant (Original Defendant No.1)

1.

, ) Constituted under the provisions ) of the Banking Companies ) (Acquisition & Transfer of ) Undertaking) Act,1970 and ) having its Regional Officer at \_\_\_\_, ) \_\_\_\_\_, ) and Head Office at ) SARFAESI ACT





2.



#### MEMORANDUM OF APPEAL

#### 1. PARTICULARS OF THE APPELLANT:

Name of the Appellant	:	
Address of the Appellant	:	same as above.
Address for the service	:	same as above.
TICULARS OF RESPONDENTS:		
Name of the Respondent No.1		
Address of Respondent No.1	:	same as above.
Address of the service		same as above.
Name of the Respondent No.2	:	
Address of Respondent No.2	•	same as above.
Address of the service	:	same as above.
Name of Respondent No.3	:	
Address of Respondent No.3	:	same as above.
Address of the service	:	same as above.
	Address of the Appellant Address for the service <b>TCULARS OF RESPONDENTS:</b> Name of the Respondent No.1 Address of Respondent No.2 Address of the service Name of the Respondent No.2 Address of Respondent No.2 Address of the service Name of Respondent No.3 Address of Respondent No.3	Address of the Appellant:Address of the service: <b>TCULARS OF RESPONDENTS:</b> Name of the Respondent No.1:Address of Respondent No.1:Address of the service:Name of the Respondent No.2:Address of Respondent No.2:Address of the service:Name of the Respondent No.2:Address of Respondent No.3:Address of the service:Address of the service:Name of Respondent No.3:Address of Respondent No.3:

#### 3. JURISDICTION:

The subject matter of the present Miscellaneous Appeal falls within the jurisdiction of this Hon'ble Tribunal. The Presiding Officer, DRT - \_\_\_\_, \_\_\_\_ has passed the impugned order on \_\_\_\_\_\_ and, therefore, this Hon'ble Tribunal has jurisdiction to try and entertain this Miscellaneous Appeal.



#### 4. LIMITATION:

The present Appeal is within the limitation prescribed *u/s 20(3) of the Recovery of Debt due to banks and Financial Institutions Act, 1993 (hereinafter referred as "the said Act")* The impugned order is dated \_\_\_\_\_\_, a copy of the same has been applied by the Appellant on \_\_\_\_\_\_ and the same is provided on \_\_\_\_\_\_ and the Appeal is, therefore, within time.

#### 5. FACTS OF THE CASE:

- (a) The Appellant herein are Defendant No. 1 to the Original Application. The present Appeal is filed against the order dated \_\_\_\_\_\_ passed by the Hon'ble Presiding Officer, DRT \_\_\_\_\_, \_\_\_\_\_ in Original Application No. \_\_\_\_\_ of \_\_\_\_\_ whereby the Learned Presiding Officer has allowed the Interim Reliefs as prayed by Respondent No.1 and issued impugned order as set out more particularly therein. Copies of the Original Application No. \_\_\_\_\_ of \_\_\_\_\_ of \_\_\_\_\_ (without exhibits), and interim application No. \_\_\_\_\_ of \_\_\_\_\_ (without exhibits), and interim application of the Applicant are annexed as **Exhibits** "A" and "B" hereto. The Appellant craves leave to refer to and rely upon the papers and proceedings in the Original Application No. \_\_\_\_\_ of \_\_\_\_\_ when produced.
- (b) Respondent No. 1 has filed the Original Application No. \_\_\_\_\_ of \_\_\_\_\_ against the Appellant and others for recovery of its dues in respect of the alleged undertaking given by Appellant in



















