

HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THE HON'BLE JUSTICE MOUSHUMI BHATTACHARYA
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION No.28133 OF 2026

DATE: 25.08.2026

Between:

M/s. Bollant Industries Private Limited

... Petitioner

And

Debts Recovery Tribunal – II, and another.

...Respondents

Mr. A. Venkatesh, learned Senior Counsel representing Mr. A. Karthik, learned counsel appearing for the petitioner.

ORDER: (Per Hon'ble Justice Moushumi Bhattacharya)

1. The present Writ Petition has been filed challenging an order dated 18.08.2026 passed by the Debts Recovery Tribunal-II at Hyderabad ('DRT') dismissing I.A.No.2826 of 2026 in S.A.No.274 of 2026 filed by the writ petitioner/borrower seeking condonation of a delay of two days in filing an Application seeking extension of time to make payment of the first instalment of Rs.50,00,000/-, as directed by the DRT in its earlier order dated 28.07.2026 passed in I.A.No.2513 of 2026 in S.A.No.274 of 2026.

2. The facts of the case, in brief, are that the writ petitioner filed the S.A under section 17 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act') challenging the measures initiated by the respondent No.2 including the Demand Notice dated 06.02.2026 issued under section 13(2) of the SARFAESI Act and the Possession Notice dated 23.04.2026 issued under section 13(4) of the SARFAESI Act. The petitioner also filed I.A.No.2513 of 2026 in S.A.No.274 of 2026 seeking stay of all further proceedings pursuant to the Vacate Notice dated 15.07.2026 issued by the Advocate Commissioner, including taking physical possession of the schedule property. By an impugned order dated 28.07.2026, the DRT granted a conditional stay of all further proceedings initiated by the respondent No.2 herein including taking of physical possession of the petition schedule property pursuant to the Vacate Notice dated 15.07.2026 subject to the petitioner depositing Rs.1,50,00,000/- in three equal instalments of Rs.50,00,000/- each. The first instalment was directed to be deposited within one week from the date of the said order i.e., by 04.08.2026. The second instalment was directed to be deposited within two weeks thereafter and the third instalment within two weeks thereafter, directly to the respondent No.2 herein.

3. The petitioner, however, could not arrange the amount of Rs.50,00,000/- and hence, filed I.A.No.2826 of 2026 on

07.08.2026 seeking condonation of delay of two days in filing an I.A seeking extension of time to comply with the order dated 28.07.2026. By the impugned order dated 18.08.2026, the DRT dismissed the petitioner's I.A on the ground that the petitioner had failed to show sufficient cause for condoning the delay.

4. Considering the submissions made by learned Senior Counsel appearing for the petitioner and the fact that the petitioner is ready to deposit the first instalment of Rs.50,00,000/- by today itself, we deem it appropriate to allow the Writ Petition and set aside the impugned order dated 18.08.2026.

5. W.P.No.28133 of 2026 is accordingly allowed and the impugned order dated 18.08.2026 is set aside. The petitioner shall deposit the first instalment of Rs.50,00,000/- by 10:30 A.M. on 26.08.2026 through RTGS to the respondent No.2. All connected applications shall stand closed. There shall be no order as to costs.

MOUSHUMI BHATTACHARYA, J

RENUKA YARA, J

Date: 25.08.2026

Note: Issue CC by today

B/o

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