

ITEM NO.64

COURT NO.6

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 11029/2024

(Arising out of impugned final judgment and order dated 15-03-2024 in WP No. 6662/2024 passed by the High Court of Andhra Pradesh at Amravati)

SUPERWHIZZ PROFESSIONALS PRIVATE LIMITED

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 118687/2024 - INTERVENTION/IMPLEADMENT
IA No. 114138/2024 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 30-09-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s)

Mr. Shri Singh, Adv.
Mr. Gaganjyot Singh, Adv.
Ms. Riddhi Sancheti, AOR

For Respondent(s)

Mr. V Chandrashekhara Bharathi, Adv.
Mr. Raj Bahadur Yadav, AOR
Mr. Navanjay Mahapatra, Adv.
Mr. Udai Khanna, Adv.
Mr. Jagdish Chandra, Adv.

Mr. Chitranshul A. Sinha, AOR

Mr. Dvss Somayajulu, Sr. Adv.
Mr. Y. Raja Gopala Rao, AOR
Mr. Dhuli Gopi Krishna, Adv.
Mr. Akshay Singh, Adv.

Ms. Ankita Gautam, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. We have perused the report of the learned Presiding Officer, Debts Recovery Tribunal (DRT) at Visakhapatnam, Andhra Pradesh.
2. The report records the reasons and states that now the order will be pronounced on 1st October, 2024.
3. The report records shocking state of affairs. The Ministry of Finance, Department of Financial Services called upon the learned Member of the DRT to submit data. The extent of data called for is such that a huge exercise was required to be undertaken by the Registrar of the DRT and therefore, the stenographers and the staff attached to the DRT were required to devote the second session for doing the work of collection and collating of the data.
4. *Prima facie*, it appears to us that the Ministry of Finance is treating the DRT as its subordinate office. It is only because of the requisition sent by the Ministry that instead of assisting the learned Presiding Officer of the DRT in performing his judicial duties, the staff members remained busy with collection and collation of the data.
5. Issue notice to the Section Officer, Ministry of Finance, Department of Financial services, Jeevan Bharti Building, Parliament Street, New Delhi-110001 at e-mail

i.d. drt@nic.in to appear before this Court on the next date and to explain to this Court how the DRT can be treated as a department of the Central Government. The officer shall personally remain present before this Court on 21st October, 2024.

6. There is nothing confidential about the report submitted by the learned Presiding Officer of the DRT. The Registry will prepare an extra copy of the report and place the same on record. A soft copy of the said report shall be also forwarded to the Section Officer to whom notice has been ordered to be issued.

7. Now, an undertaking of Shri Danta Naresh Kumar, Advocate and General Secretary, Visakhapatnam Bar Association dated 26th September, 2024 is placed on record along with a copy of the resolution of the same date passed by the Visakhapatnam Bar Association.

8. We take on record the undertakings incorporated in the said affidavit and particularly in paragraphs 8 to 11.

9. We make it clear that any further action by the Bar Association contrary to the undertaking is bound to be treated as a case of aggravated criminal contempt. No further directions are required to be issued against the Visakhapatnam Bar Association. The notice issued to the Secretary, Visakhapatnam Bar Association stands discharged.

10. List on 21st November, 2024.

**(ANITA MALHOTRA)
AR-CUM-PS**

**(AVGV RAMU)
COURT MASTER**