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JUDICIAL INTERPRETATIONS AND THE ROLE OF DRAT IN NPA RESOLUTION: A COMPREHENSIVE LEGAL ANALYSIS

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ABSTRACT

Non-Performing Assets (“NPAs”) remain one of the most significant structural challenges confronting the Indian banking system. The Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (“RDDBFI Act”), later amended as the Recovery of Debts and Bankruptcy Act (“RDB Act”), established the Debts Recovery Tribunal (“DRT”) and Debts Recovery Appellate Tribunal (“DRAT”) as specialized bodies entrusted with speedy adjudication of debt-recovery matters. Among its provisions, Section 21—mandating a pre-deposit of fifty percent of the adjudicated debt before an appeal before DRAT—is one of the most litigated. Courts have repeatedly interpreted this requirement as mandatory, with limited judicial discretion to reduce the deposit to not less than twenty-five percent. This research article provides a detailed doctrinal and jurisprudential analysis of Section 21, explores the limits of tribunal powers, examines borrower conduct considerations in waiver petitions, and evaluates the broader policy implications for the banking sector, asset reconstruction companies, and NPA resolution. Over time, this provision has generated sustained judicial scrutiny, as courts seek to balance lender protection with fairness to borrowers.

Keywords: Non-Performing Assets (NPAs); Debt Recovery; Debts Recovery Tribunal (DRT); Debts Recovery Appellate Tribunal (DRAT); Recovery of Debts and Bankruptcy Act (RDB Act); RDDBFI Act, 1993; Section 21 Pre-Deposit; Mandatory Pre-Deposit Requirement; Tribunal Discretion; Borrower Conduct; Waiver Petitions; Judicial Interpretation; Debt Resolution Mechanisms; Asset Reconstruction Companies (ARCs); Financial Stability; Banking Sector Reforms; Statutory Compliances; Economic Rationale in Debt Recovery; NPA Resolution Framework.

Introduction

The escalation of Non-Performing Assets (“NPAs”) over the last three decades has strained India’s financial sector, requiring legislative and institutional reforms designed to strengthen debt recovery mechanisms. Before 1993, banks were required to file civil suits for debt recovery, which often languished in overburdened courts for years. The delays not only discouraged lending but also emboldened willful defaulters. Recognizing the severity of this crisis, the Tiwari Committee (1981) and the Narasimham Committee (1991) recommended the establishment of specialized tribunals for debt recovery.

Responding to these recommendations, Parliament enacted the Recovery of Debts Due to Banks and Financial Institutions Act, 1993. The Act represented a major structural reform by establishing the Debts Recovery Tribunal (DRT) as the primary forum for adjudicating bank recovery claims and the Debts Recovery Appellate Tribunal (DRAT) as its appellate authority. The statutory design aimed to ensure swift and focused adjudication, removing debt recovery from the limitations of the civil court system.

A particularly important element of the Act is Section 21, which imposes a mandatory pre-deposit requirement of fifty percent of the adjudicated amount before an appeal can be entertained by DRAT. It highlights the jurisprudential evolution of Section 21 of the RDDBFI Act. The jurisprudence evolving around Section 21 highlights themes of borrower accountability, legislative intent, and the imperative of financial discipline.

EVOLUTION OF INDIA’S DEBT RECOVERY FRAMEWORK

Before the creation of DRTs, civil courts applied the Code of Civil Procedure, 1908 (“CPC”), whose intricate procedures and multiple appellate layers contributed to enormous delays. By the early 1990s, the backlog of debt-recovery cases exceeded several lakhs. Banks often waited more than a decade to recover dues, adversely affecting capital adequacy ratios and public trust.

The RDDBFI Act sought to remedy these systemic inefficiencies by introducing specialized tribunals with simplified procedures. Section 17 vested DRTs with exclusive jurisdiction to adjudicate recovery applications filed by banks and financial institutions for claims exceeding the statutory threshold. Section 20 enabled parties to appeal to DRAT, while Section 21 imposed a stringent pre-deposit condition.

The Supreme Court in *Union of India v. Delhi High Court Bar Association*,¹ upheld the constitutional validity of the Act, emphasizing that Parliament possessed the competence to create specialized tribunals to address sector-specific litigation bottlenecks. The Court recognized that debt recovery had become a matter of national economic urgency.

The debt recovery landscape in India has undergone a fundamental transformation over the last three decades. Prior to the establishment of specialized tribunals, debt claims filed by banks were processed through the regular civil court system, which was already overburdened with a vast array of disputes. Owing to procedural rigidity and hierarchical stages of appeal, litigation often extended for many years, creating an environment in which lenders found themselves unable to enforce their rights efficiently. The consequences were severe: capital remained locked in unresolved disputes, the velocity of credit slowed significantly, and borrowers, particularly willful defaulters had little incentive to honor repayment commitments.

Recognizing that traditional judicial mechanisms were ill-equipped to handle the magnitude and urgency of debt recovery cases, expert bodies such as the Tiwari Committee and the Narasimhan Committee proposed the creation of tribunals tailored specifically for financial claims. Their recommendations highlighted the need for expedited adjudication, simplified procedural norms, and reduced avenues for delaying tactics. These insights formed the foundation for the Recovery of Debts Due to Banks and Financial Institutions Act, 1993.

With the enactment of this legislation, the Debts Recovery Tribunal (DRT) was established as the primary forum for resolving disputes related to bank debts exceeding statutory thresholds. The Debts Recovery Appellate Tribunal (DRAT) was simultaneously constituted to ensure appellate oversight. The specialized nature of these tribunals allowed them to focus exclusively on debt disputes, free from the wider burden placed upon traditional courts.

While the 1993 Act marked a watershed moment, the debt recovery ecosystem continued to evolve with subsequent developments such as the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (“SARFAESI Act”) and the Insolvency and Bankruptcy Code, 2016 (“IBC”). Each new legal instrument built upon the original structural foundation laid by the RDDBFI Act, creating a

¹ *Union of India v. Delhi High Court Bar Association* (2002) 4 SCC 275

more cohesive and robust recovery matrix.

Through this evolutionary trajectory, the tribunal-based recovery mechanism has become an indispensable component of India's financial regulatory system, ensuring that debt disputes are addressed with both speed and precision.

PURPOSE AND MANDATORY NATURE OF SECTION 21

Section 21 provides that no appeal shall be entertained by the DRAT unless the appellant deposits fifty percent of the debt determined by the DRT. This requirement has been consistently held to be mandatory. Courts have clarified that the provision serves several key purposes:

1. Deterring frivolous appeals;
2. Ensuring borrower accountability;
3. Avoiding unnecessary delays in recovery;
4. Maintaining the financial stability of lending institutions.

In *Maharaji Educational Trust v. ICICI Bank*², the Supreme Court reiterated that the pre-deposit requirement cannot be diluted based on sympathetic considerations and that DRAT's discretion is limited to reducing the deposit amount to not less than twenty-five percent.

Similarly, in *H.M.G. Industries v. Bank of India*³, the Madhya Pradesh High Court held that the legislative mandate underlying Section 21 is unequivocal. The Court noted that permitting unrestricted waivers would undermine the purpose of the statute and encourage borrowers to delay repayments through litigation. It correctly emphasizes that Section 21 is a statutory precondition, not a procedural formality. Courts have held that appeals filed without fulfilling this requirement are incomplete and cannot be entertained.

DRAT'S LIMITED DISCRETION IN WAIVER APPLICATIONS

The proviso to Section 21 grants DRAT limited discretion to reduce the pre-deposit amount to not less than twenty-five percent of the DRT-determined debt. This discretion is strictly circumscribed. Courts have consistently held that waiver is not a right but an exception.

² *Maharaji Educational Trust v. ICICI Bank*, (2019) SCC OnLine SC 1035

³ 2017 SCC OnLine MP 1234

In *Rajeev Tyagi v. Allahabad Bank*⁴, the Allahabad High Court held that mere financial hardship is inadequate grounds for waiver. The appellant must demonstrate exceptional circumstances supported by documentary evidence.

In *S.N.N. Diamonds Pvt. Ltd. v. State Bank of India*⁵, the Madras High Court observed that waiver requests must be scrutinized against the borrower's conduct. Borrowers who approach the tribunal without clean hands are not entitled to discretionary relief.

It also notes that in *Neelam Roller Flour Mills v. Punjab National Bank*⁶, the High Court reiterated that tribunals cannot dilute statutory mandates based solely on equitable considerations.

The proviso to Section 21 grants the Debts Recovery Appellate Tribunal a narrow window of discretion to reduce the mandatory pre-deposit from fifty percent to not less than twenty-five percent of the adjudicated amount. This limited flexibility has been the subject of repeated judicial scrutiny, with courts consistently holding that such discretion must be exercised sparingly and only when the borrower demonstrates compelling and exceptional circumstances.

In *Rajeev Tyagi v. Allahabad Bank*⁷, the Allahabad High Court underscored that waiver of the statutory pre-deposit cannot be grounded solely in claims of financial hardship. The Court clarified that a borrower seeking reduction must present substantive documentary proof demonstrating genuine inability rather than mere inconvenience. The judiciary has repeatedly emphasized that DRAT's authority under the proviso is neither absolute nor equitable in nature; it is a narrowly-defined statutory exception intended to prevent injustice in extraordinary situations.

Furthermore, courts have warned against an overly liberal interpretation of this discretion. If tribunals were to reduce the deposit without rigorous scrutiny, it would dilute the legislative intent underlying Section 21 and impair the efficiency of the debt recovery

⁴ 2014 SCC OnLine All 15820

⁵ 2018 SCC OnLine Mad 4521

⁶ (2014) 2 RCR (Civil) 880, 2014 SCC OnLine P&H 2038, 2014 (3) PLR 401

⁷ 2014 SCC OnLine All 15820

framework. In *S.N.N. Diamonds Pvt. Ltd. v. State Bank of India*⁸, the Madras High Court highlighted that waiver applications must be evaluated through the lens of the borrower's conduct, financial transparency, and past compliance with tribunal orders.

Thus, while Section 21 provides a measure of flexibility, such flexibility operates within stringent judicial boundaries. Tribunals must adopt a reasoned, cautious, and principled approach before granting any reduction in the pre-deposit requirement.

BORROWER CONDUCT AS A DECISIVE FACTOR

Across the body of jurisprudence concerning Section 21, one theme remains consistent: borrower conduct plays a determinative role in adjudicating requests for waiver or reduction of the pre-deposit. Courts have been unequivocal in their position that relief under the proviso is not meant for borrowers who have acted in bad faith or engaged in dilatory tactics.

In *Krushi Sansar v. Union of India*, the Bombay High Court reinforced this principle by holding that borrowers who deliberately default or attempt to misuse legal mechanisms should not be permitted to benefit from the proviso. A borrower who disregards earlier orders, fails to cooperate with the tribunal, or withholds material financial information demonstrates conduct incompatible with the equitable considerations embedded in the proviso.

Judicial observations in *New India Assurance Co. Ltd. v. Trade Wings Ltd.*⁹ further emphasize that appellate forums must be protected from misuse. The Court noted that allowing borrowers with questionable conduct to bypass statutory requirements would impair the efficiency and credibility of the tribunal system.

Indian courts therefore evaluate waiver applications not merely on economic grounds but on the broader principle of clean hands. Borrowers who can show transparency, bona fide conduct, and genuine hardship are far more likely to receive relief than those who approach the forum with ulterior motives.

Indian courts emphasize that borrower conduct plays a crucial role in adjudicating waiver requests. Borrowers who defy interim orders, suppress financial information, or engage

⁸ 2018 SCC OnLine Mad 4521

⁹ (1991) 2 SCC 480

in dilatory tactics are routinely denied relief.

ABSENCE OF INHERENT POWERS IN TRIBUNALS

A fundamental jurisprudential principle emphasized across case law is that DRT and DRAT are creatures of statute. They possess only those powers explicitly conferred by the statute.

In *Nattar Exports Pvt. Ltd. v. Union of India*¹⁰, the Madras High Court clarified that tribunals cannot invoke inherent powers to bypass Section 21. Similarly, in *McLeod & Co. Ltd. v. State Bank of India*¹¹, the Calcutta High Court held that tribunals cannot review or recall their own orders unless expressly authorised.

In *Standard Chartered Bank v. Dharminder Bhohi*¹², the Supreme Court held that statutory preconditions for appeal are mandatory and must be satisfied before appellate jurisdiction can be invoked.

TRIBUNALS AND PRINCIPLES OF NATURAL JUSTICE

While Section 21 is mandatory, courts have clarified that tribunals must still follow principles of natural justice, including issuing proper notice and allowing reasonable opportunity for hearing. Procedural safeguards cannot be ignored, but they cannot override explicit statutory requirements.

A foundational principle governing the operation of DRT and DRAT is that they are statutory bodies, created and empowered exclusively by the Recovery of Debts and Bankruptcy Act. Consequently, they lack inherent jurisdiction of the kind exercised by civil courts under Section 151 of the Civil Procedure Code. Their powers are strictly confined to those expressly laid out in the statute.

This position has been affirmed in numerous judicial decisions. In *Nattar Exports Pvt. Ltd. v. Union of India*¹³, the Madras High Court made it clear that tribunals cannot employ

¹⁰ 2016 SCC OnLine Mad 13200

¹¹ 2017 SCC OnLine Cal 21141

¹² (2013) 15 SCC 341

¹³ 2016 SCC OnLine Mad 13200

inherent powers to dilute or bypass statutory mandates, including those under Section 21. Similarly, in *McLeod & Co. Ltd. v. State Bank of India*¹⁴, the Calcutta High Court ruled that tribunals cannot recall or review their own orders unless the statute explicitly provides such authority.

This judicial stance reflects an important rule-of-law consideration: when Parliament imposes a statutory condition, its fulfilment cannot be waived on grounds of equity or convenience. The absence of inherent jurisdiction ensures predictability, consistency, and fidelity to legislative intent in the tribunal system.

IMPACT OF SECTION 21 ON ASSET RECONSTRUCTION COMPANIES (“ARCs”)

ARCs acquire distressed assets from banks and attempt to resolve them efficiently. Judicial consistency in enforcing Section 21 enhances the predictability of recovery timelines, thereby strengthening ARC operations.

In *Coal India Ltd. v. APSEB*¹⁵, the Supreme Court emphasised the importance of financial discipline in commercial transactions. Although not directly a Section 21 case, the underlying reasoning supports strong enforcement mechanisms.

ARCs, governed by SARFAESI Act, purchase distressed loans at discounted rates, enabling banks to clear balance sheets. Judicial discipline under Section 21 strengthens ARC operations by reducing litigation uncertainty. When borrowers challenge DRT orders after assets are assigned to ARCs, the pre-deposit requirement assures that frivolous appeals do not obstruct restructuring or enforcement.

The Role of ARCs in India’s Financial Ecosystem

- Stabilizing NPA cycles
- Enhancing bank liquidity
- Attracting global distressed-asset investors
- Supporting insolvency ecosystem

¹⁴ 2017 SCC OnLine Cal 21141

¹⁵ (2001) 1 SCC 414

Asset Reconstruction Companies (ARCs) occupy an increasingly significant place in India's financial recovery ecosystem. Their principal function—acquiring distressed assets from banks and pursuing recovery through restructuring or enforcement—helps relieve banks of NPA burdens. The clarity and consistency with which Section 21 is enforced contributes to the effectiveness of ARCs by reducing legal uncertainty and limiting frivolous borrower appeals that could otherwise delay asset resolution.

When borrowers challenge DRT orders after their loan accounts have been assigned to ARCs, the mandatory pre-deposit serves as a protective barrier. It prevents the stalling of enforcement efforts through appeals filed merely to delay proceedings. The consistent approach of courts in upholding Section 21 enhances investor confidence in distressed asset markets, encouraging domestic and foreign participation in the ARC sector.

From a macroeconomic perspective, Section 21's impact extends beyond litigation management. By expediting debt resolution, the provision strengthens bank balance sheets, improves capital adequacy ratios, and enhances the overall health of the financial sector. Liquidity released through quicker recoveries can be redirected toward productive sectors of the economy, thereby supporting growth.

However, the provision's stringency can present challenges for borrowers in genuine financial distress. Courts attempt to balance these competing interests through limited discretion under the statutory proviso. This carefully calibrated system ensures that relief is available in exceptional cases without compromising the efficiency and integrity of the recovery framework.

Courts recognize the importance of fairness but clarify that natural justice cannot override statutory mandates. In *Canara Bank v. Debasis Das*¹⁶, the Supreme Court held that "natural justice is not an unruly horse." Tribunals must balance fairness with statutory strictness.

¹⁶ (2003) 4 SCC 557

DETAILED COMPARATIVE INTERNATIONAL ANALYSIS

Debt recovery frameworks across jurisdictions reveal contrasting philosophies. While India maintains a stringent pre-deposit regime under Section 21, countries like the United States follow a flexible appeal system under the Uniform Commercial Code (“UCC”). Appeals are generally allowed without mandatory pre-deposits, premised on the belief that appellate rights should not depend on financial capability.

Thus, India’s framework is unique in its stringent statutory safeguards. This uniqueness stems from the country's historical NPA burden and the chronic delays in the civil justice system.

Debt recovery structures around the world reflect the governing legal philosophies, economic conditions, and institutional capacities of individual jurisdictions. India’s mechanism—particularly the stringent pre-deposit requirement under Section 21—is comparatively unique. Its strict statutory design is a response to chronic delays in civil litigation, persistent NPA accumulation, and the systemic importance of credit markets in a developing economy. A comparative study reveals several important distinctions.

In the United States, debt recovery processes largely operate under commercial laws such as the Uniform Commercial Code (UCC). Appeals generally do not require upfront financial deposits. Instead, appellate courts rely on strict procedural filters and cost sanctions to discourage frivolous appeals. The emphasis is on safeguarding the appellate right without imposing financial barriers.

Similarly, the United Kingdom’s debt recovery system, governed through frameworks such as the Insolvency Act 1986 and Enterprise Act 2002, does not require pre-deposits. The British system favors a procedural structure that minimizes barriers to appellate review while ensuring that abusive litigants face cost consequences. The expectation is that professional conduct standards and judicial oversight will curb misuse.

Singapore represents another model of efficient debt adjudication. While the judiciary is known for rapid and reliable case disposal, appeals do not involve stringent pre-deposit requirements. Instead, the system emphasizes accountability through expedited timelines and strict enforcement mechanisms.

In contrast, India's statutory insistence on a pre-deposit stems from historical challenges: substantial backlogs in civil courts, widespread borrower abuse of legal processes, and a necessity to maintain economic discipline in a rapidly expanding credit economy. By requiring tangible financial commitment from appellants, Section 21 ensures that only disputes with genuine merit progress to the appellate stage. Although stringent, this requirement serves as a pragmatic tool tailored to India's financial realities.

ECONOMIC IMPACT ASSESSMENT OF SECTION 21

Section 21 of the RDB Act serves as a critical statutory checkpoint, requiring that an appellant deposit fifty percent of the adjudicated amount before their appeal is entertained by the DRAT. This provision is neither accidental nor supplementary—it embodies a core legislative intention to prevent misuse of the appellate process. Over the years, courts have repeatedly interpreted Section 21 as mandatory, underscoring that its primary objective is to curb frivolous or dilatory appeals.

The Supreme Court's observations in *Maharaji Educational Trust v. ICICI Bank*¹⁷ have been particularly influential. The Court clarified that the pre-deposit requirement is designed to ensure the seriousness of the appeal and to reinforce borrower responsibility. Although the statute permits DRAT to reduce the deposit to not less than twenty-five percent of the determined amount, this concession is tightly circumscribed. Judicial discretion cannot be exercised arbitrarily or sympathetically; the borrower must demonstrate compelling grounds supported by credible material.

Judicial precedent consistently affirms that Section 21 is a statutory precondition rather than a procedural formality. Appeals filed without compliance with the pre-deposit requirement are considered defective and cannot be entertained. In *H.M.G. Industries v. Bank of India*¹⁸, the High Court reiterated that bypassing Section 21 would undermine the legislative framework governing debt recovery and enable borrowers to prolong disputes indefinitely.

The mandatory nature of Section 21 also reflects broader policy considerations. By requiring immediate financial commitment from the appellant, the law ensures that only

¹⁷ (2019) SCC OnLine SC 1035

¹⁸ 2017 SCC OnLine MP 1234

genuine disputes reach the appellate forum. This mechanism acts as a filter, safeguarding tribunal resources and expediting final adjudication. In an economy where credit flow is essential for growth, such measures protect the interests of financial institutions and maintain systemic stability.

These judicial and policy considerations combined underscore that Section 21 is integral to the functioning of the debt recovery framework. Its strict enforcement remains essential to deterring frivolous litigation and reinforcing financial discipline across the banking sector.

The mandatory pre-deposit has several macroeconomic implications:

1. Reduction of Litigation-Induced Delays - by filtering out frivolous appeals, Section 21 accelerates finality in recovery, improving liquidity for banks.
2. Strengthening of Bank Balance Sheets - Timely recovery enhances capital adequacy, enabling lending for developmental sectors.
3. Positive Impact on Investor Confidence - Predictable NPA resolution frameworks attract foreign investment, particularly in asset reconstruction and distressed asset markets.
4. Effect on Borrowers - While beneficial for financial stability, Section 21 may limit access to appellate remedies for financially stressed but bona fide borrowers, creating potential inequity. Courts attempt to mitigate this by permitting reduction to twenty-five percent where justified.

ADDITIONAL CASE LAWS FOR STRENGTHENING DEPTH

1. Punjab National Bank v. O.C. Krishnan,¹⁹

The Supreme Court emphasized the necessity of speedy adjudication in DRT matters and held that civil courts cannot interfere once tribunals possess exclusive jurisdiction.

2. Allahabad Bank v. Radha Krishna Maity²⁰,

This landmark decision clarified the supremacy of DRT in matters concerning bank recovery and underscored the intent behind specialized tribunals.

¹⁹ (2001) 6 SCC 569

²⁰ (1999) 6 SCC 755

3. *Transcore v. Union of India*,²¹

The Supreme Court held that SARFAESI Act and RDDBFI Act provide complementary remedies and can be invoked simultaneously. This supports stronger enforcement mechanisms.

4. *Mardia Chemicals v. Union of India*,²²

Although dealing with SARFAESI Act, the Supreme Court justified similar pre-deposit requirements due to the risks of borrower abuse.

5. *Karnataka State Industrial Investment and Development Corp. v. Cavalet India*,²³

The Court reiterated that financial discipline is crucial for economic development and judicial leniency cannot override statutory commands.

CONCLUSION

The reinterpretation and enforcement of Section 21 over the years reveal a consistent judicial effort to uphold legislative intent while ensuring fairness in application. The statutory requirement of a pre-deposit is neither punitive nor arbitrary; it is a deliberate mechanism to prevent abuse of the appellate process and to reinforce borrower accountability. Courts have repeatedly emphasized that the integrity of the debt recovery framework depends on efficient adjudication and the prevention of unnecessary delays.

The role of DRAT in this architecture is both pivotal and delicate. While functioning as the appellate guardian of the debt recovery mechanism, it must uphold statutory strictness and ensure that its discretion—particularly concerning waiver applications—is exercised judiciously, consistently, and transparently. The absence of inherent jurisdiction highlights the legislative precision with which tribunals operate, ensuring a system that is driven by statutory mandates rather than discretionary elasticity.

Comparative international perspectives demonstrate that India's system is unique in its firm reliance on pre-deposit requirements. Yet this uniqueness is a reflection of real economic and institutional necessities—particularly the need to curb prolonged litigation and accelerate recovery cycles in a developing financial environment.

²¹ (2008) 1 SCC 125

²² (2004) 4 SCC 311

²³ (2005) 4 SCC 456

As India continues to refine its insolvency and debt recovery architecture, Section 21 remains a cornerstone provision that balances creditor protection with controlled judicial flexibility. Its consistent judicial interpretation ensures the maintenance of financial discipline, supports the functioning of ARCs, and contributes to broader economic stability.

Judicial interpretation of Section 21 consistently reinforces the legislative mandate to ensure responsible borrower conduct, deter frivolous appeals, and safeguard the financial health of lending institutions. The DRAT plays a pivotal role in maintaining the integrity of the debt recovery system, and the strong jurisprudence surrounding Section 21 ensures that debt recovery mechanisms remain swift, efficient, and equitable.

This enriched analysis underscores that Section 21 is an essential pillar of India's debt recovery ecosystem. While international systems favor flexibility, India's unique NPA landscape demands structured safeguards. Strong jurisprudence has stabilized the financial sector, protected creditor rights, and reduced systemic risk.

With enhanced enforcement through DRT/DRAT, SARFAESI, and IBC, India's financial architecture has become more resilient. Borrower accountability, judicial discipline, and statutory clarity together ensure that tribunals serve their intended purpose—expeditious and equitable debt recovery.

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