



2026:UHC:3238

SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
	28.04.2026		WPMS No.256 of 2026 <u>Hon'ble Siddhartha Sah, J.</u> Ms. Menka Tripathi, learned counsel for the petitioner. 2. Mr. Pankaj Miglani, learned counsel for the respondents. 3. By means of the present petition, the petitioner seeks the following reliefs:- <i>“i Issue a Writ, Order or Direction in the nature of mandamus to the DRAT, Allahabad to dispose of the pending appeal (Diary No. 736/2025) including the Interim Application dated 06.01.2026 pending therein within a stipulated time frame preferably within 1 month.</i> <i>ii Issue a Writ, Order, or Direction in the nature of Mandamus directing the respondents not to proceed any further in pursuance of the orders dated 19.12.2025 and 09.01.2026, (Annexure No- 15 & 16) till the disposal of the Interim Application dated 06.01.2026 pending in appeal (Diary No. 736/2025) before the DRAT, (Annexure No-14).</i> <i>iii Issue a Writ, Order, or Direction in the nature of Mandamus directing the DRT not to proceed any further in MA/46/2025 (Promila Gupta & Anr. v. Poonawalla Fincorp Ltd.), till the disposal of the Interim Application dated 06.01.2026 pending in appeal (Diary No. 736/2025) before the DRAT.</i> <i>iv Mould, Grant and Issue any other writ, order or direction in favour of the petitioner as this Hon'ble Court deems fit and proper in the circumstances of the case.”</i> 4. Learned counsel for the petitioner submits that the appeal was filed before the DRAT,



		Allahabad vide Memo of Appeal dated 02.05.2025. She draws the attention of this Court to the provisions of Section 20(6) of the Recovery of Debts and Bankruptcy Act, 1993, which provides that an appeal filed before the Appellate Tribunal shall be dealt with as expeditiously as possible and that an endeavour shall be made to dispose of the appeal within a period of six months from the date of receipt of the appeal. 5. The aforesaid provision regarding expeditious disposal of the appeal is not disputed by the learned counsel for the respondents. 6. Since the appeal has not yet been decided since May, 2025, a direction can be issued to the DRAT, Allahabad for expeditious disposal of Appeal (Diary No. 736/2025), <i>Poonawala Fincorp Ltd. vs. Promila Gupta and Another</i>. 7. Learned counsel for the petitioner further submits that by virtue of orders dated 19.05.2025 and 09.01.2026, the DRT, Dehradun has directed the petitioner/Non-Banking Financial Company (NBFC) to return the original title deeds to the respondent/borrower. She further submits that return of the documents by the NBFC would render the appeal infructuous; therefore, the appeal be decided expeditiously and an order be passed directing that the title deeds shall not be required to be returned in compliance with the aforesaid orders till disposal of the appeal. 8. Learned counsel for the respondents does not dispute this proposition and fairly submits that an order may be passed directing the appeal pending before the DRAT, Allahabad to be decided within a time-bound manner. 9. In view thereof, and with the consent of learned counsel for the parties, the writ petition is disposed of with a direction to the DRAT, Allahabad to make an endeavour to hear and decide the pending Appeal (Diary No. 736/2025)
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			within a period of one month from the date of production of a certified copy of this order. It is further provided that till the appeal is decided, the NBFC/petitioner shall not be called upon to return the title deeds. It is also directed that none of the parties shall be granted any adjournment on any ground whatsoever, and every effort shall be made to dispose of the appeal within the stipulated period of one month. 10. In view of the aforesaid observations, the writ petition is disposed of accordingly. (Siddhartha Sah, J.) 28.04.2026 BS
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