



2026:UHC:2705-DB

**IN THE HIGH COURT OF UTTARAKHAND**  
**AT NAINITAL**

**HON'BLE THE CHIEF JUSTICE SRI MANOJ KUMAR GUPTA**  
**AND**

**HON'BLE SRI JUSTICE SUBHASH UPADHYAY**

**16<sup>TH</sup> APRIL, 2026**

**WRIT PETITION (M/B) No. 647 OF 2025**

Smt. Jagjit Pal Kaur

.....Petitioner.

Versus

Punjab National Bank and others.

...Respondents

|                             |   |                                                                                                                             |
|-----------------------------|---|-----------------------------------------------------------------------------------------------------------------------------|
| Counsel for the petitioner  | : | Sri Arvind Vashisth, learned Senior Counsel assisted by Sri Rachit Manglik, learned counsel.                                |
| Counsel for the respondents | : | Sri Siddharth Jain, learned counsel for the respondent-Bank.<br>Sri B.D. Pandey, learned counsel for the auction purchaser. |

**JUDGMENT : (Per Sri Manoj Kumar Gupta, C.J)**

1. The present writ petition has been filed challenging the order dated 07.07.2025 passed by the Presiding Officer DRT, Dehradun in Appeal No. 3 of 2025 titled as 'Ankur Suyal vs. Punjab National Bank and others' filed by the auction purchaser (respondent No. 2 herein) challenging the order of redemption dated 30.06.2025 passed by the Recovery Officer in course of execution of a decree passed in O.A. No. 322 of 2018 titled as 'Punjab National Bank vs. M/s Dhanveer Food Products & others'.

2. The DRT, by the said order, while entertaining the Appeal against the redemption order, has framed the following issues:-

*"On the basis of above, the points are arising in this matter as under:*

1. *Whether the Respondent bank / Certificate Holder can act in the manner so as to keep the sword hanging on the neck of the auction purchaser?*

2. *Whether the order dated 18.06.2025 and 30.06.2025 passed by Ld. Recovery Officer is right in relation to redemption in favour of debt holder after*



*succeeding auction and auction purchaser has already deposited the amount of auction money without providing opportunity to appellant for hearing in the light of provisions of law and again rejected recall application accordingly even though order has been passed by Ld. Recovery Officer for redemption in favour of debt holder, in absence of auction purchaser as alleged by appellant?*

*3. Whether in the light of proclamation of sale, the prayer made by the Certificate Holder / bank for transfer of amount deposited by certificate debtor No. 8 / Respondent No. 9 for redemption and undertaking on the part of respondent bank in relation to release title deed in favour of CD No. 8 / Respondent No. 9 was correct in the eye of law, when the certificate holder / bank has prayed for dismissal of redemption application previously?"*

3. The DRT has issued various interim directions. The first one is that the petitioner, in whose favour redemption has been allowed, shall not execute any document in favour of any third person on basis of the order of redemption and consequent release of title deeds by the Bank in her favour. The Bank has also been restrained from providing financial assistance against the secured asset in question. The Tribunal has also appointed a General Commissioner at the expense of respondent No. 2 for submitting a report regarding the property.

4. Learned counsel for respondent No. 2 submits that the order impugned dated 07.07.2025 is purely an inter-locutory order. By the said order, while granting stay a date has been fixed for hearing of the Appeal. Therefore, the petitioner, if aggrieved thereby, has the remedy of applying for vacation of the interim order. He submits that the petitioner also has the remedy of filing appeal against the said order before DRAT.



2026:UHC:2705-DB

5. Learned counsel for the petitioner contends that the DRT committed grave illegality in issuing various directions, the same being contrary to various provisions of the Transfer of Property Act and other provisions of law. However, he does not dispute that the petitioner has alternative remedy of filing appeal against the order dated 07.07.2025 before DRAT and she can also apply for vacation of the said order before DRT itself as the appeal is still pending.
6. In view of the same, we are not inclined to examine the challenge to a purely interlocutory order passed during pendency of the appeal in the present proceedings. The writ petition is disposed of with liberty to the petitioner to avail the alternative remedies available to her, if so advised.
7. Pending application, if any, also stands disposed of accordingly.

**MANOJ KUMAR GUPTA, C.J.**

**SUBHASH UPADHYAY, J.**

Dt: 16<sup>th</sup> April, 2026  
Rathour

PRAVINDRA  
SINGH RATHOUR

Digitally signed by PRAVINDRA SINGH RATHOUR  
DN: cn=PRAVINDRA SINGH RATHOUR, o=JUDICIAL COURT OF UTTARANCHAL, ou=JUDICIAL COURT  
OF UTTARANCHAL, email=PRAVINDRA.SINGH.RATHOUR@JUDICIAL.COURT.UA.NIC.IN, c=IN  
Date: 2026.04.16 10:43:38 +05'30'