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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9756/2026 & CM Nos. 45506-07/2026**

SOWATI GUPTA AND ANR.

.....Petitioners

Through: Mr.Shubham Singh, Mr. P.
Srivastava, Mr. Aditya Singh, Mr.
Kamal Kishore, Mohd. Shadab Naqvi,
Advs.

versus

**RECOVERY OFFICER-II, DEBTS RECOVERY TRIBUNAL-II,
DELHI AND ORS. & ANR.**

.....Respondents

Through: Mr. Raj Kumar, CGSC, Ms. Vandana
Sachdeva and Ms. Vidushi Sah, Advs.
for UOI.
Mr. I.S. Chuahan, Advocate for UCO
Bank.

CORAM:

HON'BLE MR. JUSTICE DINESH MEHTA

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER

20.07.2026

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1. The present writ petition has been preferred challenging the order dated 04.07.2026 passed by the Recovery Officer-II, Debts Recovery Tribunal-II, Delhi (hereinafter referred to as 'Recovery Officer') whereby he has rejected the petitioners' application dated 04.07.2026 for granting the extension of time for deposition of remaining amount of bid.
2. Learned counsel for the petitioners apprised the court about the background facts and submitted that the petitioners took part in the auction of a secured asset sold by the Recovery Officer in furtherance to a certificate of recovery issued in favour of the respondent No.2/UCO Bank.



3. The auction proceedings were held on 03.06.2026 in which, the petitioners being H1 were declared a successful bidder, having offered an amount of Rs.1,83,00,000/-. As per the terms of the auction, the petitioners had deposited 25 per cent of the bid amount (Rs.45,75,000/-) immediately.
4. As per the terms of the auction, the petitioners were required to deposit the remaining 75 per cent amount within 15 days. As the facts pleaded before the Recovery Officer and before this Court, the petitioners could however not deposit such amount, as petitioner no.1 suffered from severe anxiety and emotional/ mental distress.
5. On 04.07.2026, the petitioners moved an application for extension before the Recovery Officer and prayed that time be extended so that the petitioner can deposit the remaining amount.
6. The Recovery Officer despite showing sympathy towards the petitioners found himself unable to accept such request, as the law did not permit him to do so.
7. Learned counsel for the petitioners argued that the Recovery Officer having expressed his lip-sympathy had adopted a technical view of the matter and instead of applying justice oriented approach has mechanically rejected petitioner's application.
8. He submitted that when the petitioners had tendered the complete amount before the Recovery Officer, he ought to have accepted the same, as there was hardly 15 days' delay.
9. Learned counsel for the Bank and learned counsel for Union of India did not express any objection.
10. On Court's askance, the respondents have informed that so far, no fresh auction has been notified and no third party rights have been created.



11. During the pre-lunch session, the Court had asked the petitioners as to whether the petitioners are ready to tender the entire amount by 1.00 pm tomorrow? Learned counsel for the petitioners sought an hour's time to complete instructions.

12. In Post Lunch Session, learned counsel for the petitioners has produced two Demand Drafts bearing No. 070100 dated 30.07.2026 of Rs. 1,37,25,000/- being 75 per cent of the remaining amount and other draft being no. 070099 dated 30.07.2026 of Rs. 1,38,100/- which is towards one per cent poundage fees.

13. The petitioners are directed to tender these Demand Drafts before the Recovery Officer within a period of seven days from today. The Recovery Officer shall take the same on record. The auction thereafter be finalised in the name of the petitioners and proceedings shall be taken thereafter in accordance with law.

14. The petition stands allowed, accordingly.

15. Pending applications also stand disposed of.

DINESH MEHTA, J.

RAJNEESH KUMAR GUPTA, J.

JULY 20, 2026
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