

\$~39

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

+ W.P.(C) 3545/2016

SURJEET SINGH & ORS

..... Petitioners

Through: None.

versus

CANARA BANK & ORS

..... Respondents

Through: Dr H. P. Sharma and Mr Vikram Seth, Advocates for applicant in CM No.32832/2018.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

17.08.2018

CM No.32832/2018

1. The applicant (auction purchaser) has filed the present application, *inter alia*, praying as under:-

“a.) direct the Debt Recovery Tribunal-III, Delhi to expedite disposal of the securitization application number 235, 236, 237 and 242 of 2016 within one month or as per the direction of this honourable court.”

2. The respondent bank had auctioned the premises bearing no.1/9112, Gali No.4, West Rohtash Nagar, Shahdara, Delhi-110032 (hereafter ‘the property’) in the year 2009, for enforcing its security interest. The property was purchased by the applicant herein. However, the applicant has been unable to secure possession of the part of the property which is in occupation of certain persons who claim to be the tenants of the Mortgagers

– the owners of the property who had mortgaged the same to the respondent bank.

3. It is seen that the applicant had purchased the property in the year 2009 and is yet awaiting the outcome of the challenge laid by the said persons who claim to be tenants – the applicant asserts that they are illegal occupants – occupying a part of the property.

4. In the aforesaid context, this Court finds that the grievance of the applicant is justified. Accordingly, the application is allowed and the Debt Recovery Tribunal-III is directed to dispose of the securitization applications (application nos. 235, 236, 237 and 242 of 2016) as expeditiously as possible and preferably within a period of three months from today.

5. The application is disposed of.

6. Order *dasti* under signature of the court master.

VIBHU BAKHRU, J

AUGUST 17, 2018
MK