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

+ **W.P.(C) 7038/2024 & C.M.No.29367/2024**

REKHA SUNEESH

..... Petitioner

Through: **Mr.Manish Kumar, Advocate.**

versus

PUNJAB NATIONAL BANK

..... Respondent

Through: **Mr.Ved Prakash with Mr.Amardeep
Singh and Mr.Raghav Sharma,
Advocates.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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16.05.2024

1. Present writ petition has been filed by the petitioner challenging the order dated 13th May, 2024 passed by the learned DRT-I, Delhi and for seeking stay on the e-auction notice dated 7th March, 2024. Petitioner is also seeking stay on the possession notice dated 10th May, 2024 and to further grant six months' time to the petitioner to vacate the mortgaged property.
2. A perusal of the impugned order reveals that the petitioner has not even challenged the securitization action taken by the Bank under Section 17(1) of the SARFAESI Act, 2002. Further even if the petitioner is aggrieved by the order of the DRT, she should have approached the DRAT by filing an appeal.
3. At this stage, learned counsel for the petitioner has drawn this Court's attention to the prayer clause in the writ petition wherein it has been prayed that the petitioner be given two months' time to approach the proper



authority by paying appropriate court fee. This Court is of the view that such a prayer cannot be entertained by this Court.

4. Consequently, the present writ petition along with the application is dismissed with liberty to the petitioner to file appropriate proceedings in accordance with law. This Court clarifies that it has not commented on the merit of the controversy. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 16, 2024
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