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

+ W.P.(C) 16583/2024 & C.M.No.70100/2024

VINEET MALIK & ORS.

.....Petitioners

Through: Mr.Ravi Data, Advocate.

versus

PUNJAB AND SIND BANK & ORS.

.....Respondents

Through:

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

02.12.2024

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1. Present petition has been filed seeking expeditious disposal of Regular Appeal No.93/2022 pending before the DRAT, New Delhi.
2. Learned counsel for the Petitioner states that Respondent no.1 issued a sale certificate dated 25th April, 2022 in favour of the Petitioners declaring them as successful auction purchasers for property bearing no. 8, KCM, Kachnar Marg, Colony DLF, Qutub Enclave Complex, Phase-1, Gurugram, Haryana ("subject property") for an amount of Rs. 12.14 crores.
3. He states that DRT-I vide order dated 1st July, 2022 passed in S.A. 202/2022 set aside the auction dated 22nd April, 2022 on the ground that the Respondent-Bank failed to comply with Rule 8(6) of Security Interest (Enforcement) Rules, 2002 by not issuing/serving the sale notice to all securitisation applicants and the Respondent-Bank has put the entire



property on auction and sold the same for a sum of Rs.12.14 crores against the total outstanding dues of Rs.4.19 crores, even though the entire dues could have been recovered by selling only one floor of the subject property.

4. He states that the Petitioner and Respondent-Bank filed Regular Appeal No.93/2022 and Regular Appeal No.92/2022 respectively challenging the order dated 01st July, 2022. He states that although the appeal has been listed before the DRAT on multiple dates, the same has not been taken up for hearing.

5. He states that the Petitioner filed a second application for early hearing on 29th July, 2024 but the same has not been taken up till now and vide order dated 21st October, 2024, the appeal has been adjourned to 19th March, 2025.

6. Keeping in view the aforesaid, present petition along with the application is disposed of with a direction to DRAT to hear and dispose of Regular Appeal No.93/2022 in accordance with law as expeditiously as possible.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

DECEMBER 2, 2024
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