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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 17495/2024, CM APPL. 74439/2024-Exp., CM APPL. 74440/2024-Int. Dir.
ELION MOBILITY PVT LTDPetitioner

Through: Mr. Ashish Mohan, Sr. Advocate with
Ms. Sumeher Bajaj, Mr. Samarth
Chowdhary, Advocates

versus

UNION BANK OF INDIA & ORS.Respondents

Through: Mr. Sanjeev Kakra, Sr. Advocate with
Mr. Janendra Lal, Ms. Yasmin
Tarapore, Mr. Jai Lal, Mr. Akash
Madan, Advocates for R-1

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

% **19.12.2024**

1. The present Writ Petition preferred under Articles 226 and 227 of the Constitution of India seeks the following reliefs:

“(i) Issue an appropriate, writ order or direction to the Learned Debts Recovery Tribunal, New Delhi to fix a date, hear and dispose of the I.A. No. 3858/2024 of the Petitioner, Auction Purchaser, pending in TSA No. 81/2024 titled ‘Adarsh Gupta v. Union Bank of India’, which has been posted for hearing since 21.08.2024;

(ii) Issue an appropriate, writ order or direction to the Ld. Debts Recovery Tribunal in TSA No. 81/2024 titled ‘Adarsh Gupta v. Union Bank of India’ to decide the entire said Securitization Application in a time bound manner;

(iii) Issue an appropriate, writ order or direction to the Learned Debts Recovery Appellate Tribunal in Misc. Appeal No. 295/2024 titled ‘Union Bank of India v. Adarsh Gupta & Anr.’ to hear and decide the said Appeal along with the connected Appeal bearing Misc. Appeal No. 296/2024 titled ‘Union Bank of India v. M/s. Beach Whiteware Ltd.’ in a time bound manner;

(iv) Issue an appropriate, writ order or direction to the Learned Debts Recovery Tribunal, New Delhi in TSA No. 81/2024 titled ‘Adarsh Gupta v. Union Bank of India’ to handover possession of the said Secured Asset being the leasehold industrial property bearing nos. 29



& 30, RIICO Industrial Area, Neemrana, Delhi – Jaipur Highway, Alwar, Rajasthan – 301705 admeasuring 72520 Sq. Meters with a built-up area of 2,05,004 square feet along with plant and machinery to the Respondent No. 1 Bank till adjudication of the said I.A. 3858/2024 pending before it;

(v) Pass such other or further order(s) as may be just, fair and equitable in the facts and circumstances of the instant Petition in favour of the Petitioner.”

2. Having heard the learned Senior Counsel for the petitioner at some length, we find that the primary grievance of the petitioner is that two applications preferred by the petitioner before both the learned Debt Recovery Tribunal (DRT) and learned Debt Recovery Appellate Tribunal (DRAT) are being deferred from time to time and are next being listed on 06.01.2025 and 08.01.2025, respectively. It is in view of that the petitioner is seeking the above reliefs.

3. After some arguments, learned Senior Counsel for the petitioner on instructions, submits that instead of pressing the present writ petition, the petitioner would request both the DRT and the DRAT to take up their respective applications on an early date(s) for disposal on merits.

4. The writ petition, alongwith the pending applications, is accordingly disposed of as not pressed with liberty as prayed for.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 19, 2024/So