



\$~113

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

+ W.P.(C) 1761/2025

SHRI DUSHYANT TANDON

.....Petitioner

Through: None.

versus

GOVT. OF NCT OF DELHI AND ANR

.....Respondents

Through: Ms. Rachita Garg and Mr. Agam Rajput, Advocates for R1.

Mr. Arvind Jadon, Ms. Pallavi R. Jadon and Mr. Tarun Saxena, Advocates for R2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

24.04.2025

CM APPL. 8433/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 1761/2025 and CM APPL. No. 8432/2025

3. The present petition has been filed by the petitioner seeking cancellation of notices issued under Section 13 (2) as well as Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act, 2002' for short) and further seeking restraint on the sale of mortgage property bearing no. A-228, UGF, Vikaspuri, Tilak Nagar, West Delhi – 110018.
4. There was no appearance on behalf of the petitioner even on the last date i.e. 12.02.2025 when the matter was first listed. Today again, there is no



appearance on behalf of the petitioner.

5. Learned counsel appearing on behalf of the respondent no.2 submits that the notice under Section 13(2) of the SARFAESI Act was issued on 09.09.2024, whereas notice under Section 13(4) of the said Act was issued on 19.11.2024. He submits that the petitioner has already approached the learned DRT against the said notices and possibly, it is for this reason that the petitioner is not appearing in the present matter.

6. Even otherwise, there is an alternative efficacious remedy available with the petitioner to challenge the impugned notices as well as subsequent steps taken, under the SARFAESI Act, 2002.

7. Therefore, this Court is not inclined to entertain the present petition. Petition is accordingly, dismissed. Pending application also stands disposed of.

VIKAS MAHAJAN, J

APRIL 24, 2025/jg