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

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**W.P.(C) 4369/2025**

**HIMANSHITA DESIGNER FLOORS PVT LTD .....Petitioner**

**Through: Mr. Richik Harikant, Advocate.**

**versus**

**CATHOLIC SYRIAN BANK LTD & ANR. ....Respondents**

**Through: Mr. Harsh Sinha, Advocate for R-1.  
Mr. Brijesh Yadav, SPC along with Ms. Nikita,  
Mr. Sandeep Yadav, Mr. Anirudh Nagar, Mr.  
Rahul Jaitly, Mr. Kunal Chaudhary, Mr. Mukesh  
Ambawta and Mr. Amarjeet Singh, Advocates for  
R-2/SHO: Kotla Mubarakpur.**

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

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**10.11.2025**

1. This writ petition is filed by the Petitioner under Articles 226 and 227 of the Constitution of India seeking the following reliefs:-

*“a) Issue a Writ of Mandamus directing the Respondent No. 1 to hand over the vacant and peaceful possession of the Entire Second Floor of Residential Property No. 58, forming part of Khasra No. 121 situated at Village Kotla Mubarakpur, Amrit Nagar, New Delhi- 110008 admeasuring 900 sq. ft. & Residential Property bearing MCD No. 58 (now known as 58A) consisting of 4 Storey Building with Basement with total built up area of 4500 sq. ft. comprised in Land Admeasuring 1 00 sq. Y ds. (out of total area of 200 sq. yds.) forming part of Khasra No. 121, situated at South Extension Part-I, Village Kotla Mubarakpur, Amrit Nagar, New Delhi-11 0003 in terms of the Sale Certificate dated 30.12.2024 and 04.01.2025 issued in favour of the Petitioner; and/or*

*b) such other appropriate writ, order or direction as this Hon'ble Court may deem fit may also be issued.”*

2. Petitioner had purchased the following two properties, in respect of which Sale Certificates were issued by Respondent No. 1:-

i) Property no. 58, forming part of Khasra No. 121 situated at Village Kotla Mubarakpur, Arnrit Nagar, New Delhi-110008.



ii) Property no. 58A, consisting of 4 Storey Building with Basement with total built up area of 4500 sq. ft. comprised in Land Admeasuring 100 sq. Yds. (out of total area of 200 sq. yds.) forming part of Khasra No. 121, situated at South Extension Part-1, Village Kotla Mubarakpur, Amrit Nagar, New Delhi-110003.

3. Despite issuance of Sale Certificates, vacant possession of the properties was not handed over to the Petitioner, compelling the Petitioner to approach this Court. On 29.04.2025, Court recorded the submission of the Bank that it had taken requisite steps by filing interim application before DRT-II for direction to the erstwhile owner to remove his articles from the said properties. Counsel for Delhi Police had assured police assistance to the Bank in rendering vacant possession of the properties to the Petitioner.

4. Learned counsel for the Petitioner, on instructions, submits that peaceful and vacant possession of both the properties has been handed over to the Petitioner *albeit* it has taken over nine months for the Bank to do so and therefore, Petitioner is entitled to claim damages/compensation for the loss suffered on account of not being able to rent out the properties on time.

5. Since vacant possession of the aforementioned properties has been handed over to the Petitioner, no further order is required to be passed in the present petition. Insofar as claim of damages is concerned, the same cannot be adjudicated in the writ petition and it is left open to the Petitioner to take recourse to appropriate remedies before the appropriate forum for claiming damages, if so advised.

6. Writ petition stands disposed of in the aforesaid terms.

**JYOTI SINGH, J**

**NOVEMBER 10, 2025/RW**