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

+ **W.P.(C) 7300/2025 & CM APPL. 32879/2025 (stay)**

UNION BANK OF INDIAPetitioner

Through: Mr. Samarendra Kumar, Adv.
versus

M/S JEEWANDEEP ASSOCIATES & ORS.Respondents

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

% **26.05.2025**

CM APPL. 32878/2025 & CM APPL. 32880/2025 (exemptions)

Allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 7300/2025 and CM APPL. 32879/2025 (stay)

1. The present writ petition has been filed by the Petitioner challenging five interim Orders dated 02.08.2024, 28.08.2024, 30.08.2024, 19.09.2024 and 30.09.2024 passed by the learned Debt Recovery Appellate Tribunal [“**DRAT**”], extending the stay passed by it in favour of Respondent Nos. 1 to 3 in Misc. Appeal Bearing No. 220/2024 titled ‘*Jeewandeep Associates vs. Union Bank of India*’.

2. It is the case of the Petitioner that the challenge before the Ld. Debt Recovery Tribunal [“**DRT**”], Jaipur, in I.A. No. 324/2024 was against the Auction Notice dated 02.02.2024 and in I.A. No. 1062/2024 seeking interim protection from dispossession by the bank, which were rejected *vide* Orders dated 05.03.2024 and 05.07.2024, respectively.



3. The Respondent Nos. 1 to 3 challenged the Order dated 05.07.2024 of the Ld. DRT before Ld. DRAT in Misc. Appeal No. 220/2024.

4. Learned counsel for the Petitioner states that this is only a dilatory tactics by the Respondent Nos. 1 to 3 to not allow the Petitioner to go ahead with further proceedings.

5. Learned counsel for the Petitioner further submits that once the challenge to a sale notice has failed and the sale has been confirmed, as day follows night, dispossession has to follow. Reliance in this regard has been placed on the judgment of the Hon'ble Supreme Court in *Celir LLP v. Bafna Motors (Mumbai) (P) Ltd., 2023 SCC OnLine SC 1209*.

6. Instead of interfering with the impugned interim orders passed by the Ld. DRAT extending the stay, this Court is inclined to direct the Ld. DRAT to positively dispose of the appeal within a period of twelve weeks from today in light of the above referred judgment.

7. It is open for the Petitioner to approach this Court in case the appeal is not disposed of.

8. Leave and liberty is granted to the Petitioner.

9. The present petition, along with the pending application, is disposed of in the aforesaid terms.

SUBRAMONIUM PRASAD, J.

HARISH VAIDYANATHAN SHANKAR, J.

MAY 26, 2025/v/sj