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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12144/2025, CM APPL. 49538/2025, CM APPL. 49539/2025 & CM APPL. 49540/2025

GAURAV GUPTA & ORS.Petitioners
Through: Mr. Vivek Sood, Sr. Adv. with
Mr. Akshat Aggarwal, Mr.
Mohit Aggarwal, Ms. Khushi
Aggarwal, Ms. Sunita Kamath
and Ms. Medhavi Judevi, Advs.

versus

UNION BANK OF INDIARespondents
Through: Mr. Manish Shanker Srivastava,
Advs.

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

% **ORDER**
12.08.2025

1. By way of the present Petition filed under Article 226 read with 227 of the Constitution of India, the Petitioners pray of issuance of writ of *certiorari* to quash Order dated 18.07.2025 [hereinafter referred to as “**Impugned Order**”] passed by the Debts Recovery Appellate Tribunal, Delhi [“**DRAT**”]. Paragraphs 10 and 11 of the Impugned Order reads as under:-

“10. Ld. Sr. Advocate for the appellants on instruction states that the appellants have paid Rs. 8,20,000/- towards 25% pre-deposit. Ld. Sr. Advocate further states that the appellants are ready to deposit Rs.5 lacs by tomorrow and will pay the entire amount within one month to the respondent bank. The Ld. counsel and officer of the respondent has no objection in case the entire amount is deposited by the appellants within one month.



11. In view of above, since the appellants are ready to pay Rs.5.00 lacs by tomorrow i.e. 19.07.2025 and the entire outstanding amount along with interest within four weeks to the respondent bank, the physical possession of the property in question scheduled for today is stayed. However, it is made clear that in case of default, the respondent bank is at liberty to take possession of the property through very same receiver.”

2. Learned Senior Counsel representing the Appellant does not dispute that the aforesaid order was passed on the undertaking given by the Appellants. However, he submits that there is dispute with regard to the due amount and in absence of complete statement of accounts, he does not have instructions regarding the same.

3. On the confronted with the Paragraphs 10 and 11, learned Senior Counsel representing the Petitioner seeks permission of the Court to withdraw the present Petition. It is to be noted here that Petitioners wish to file an application before DRAT/DRT, however, this Court is not granting any liberty to re-open the matter under the garb of the proposed application.

4. The Petition, along with pending applications, is accordingly disposed of with the foregoing directions.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 12, 2025/sp/rgk