



\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 12283/2025, CM APPL. 50067/2025 & CM APPL. 50068/2025

DEEPAK MEHROTRA AND ANOTHERPetitioners

Through: Mr. Sudhir Kumar Ojha, Adv.

versus

AXIS BANK AND OTHERSRespondents

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

ORDER

14.08.2025

%

1. Through the present Petition under Articles 226 and 227 of the Constitution of India, the following reliefs have been prayed for:-

“i) Quashing of proceedings pending before the court of Ld. Debt recovery tribunal-1 in DRT Case No.TA1181/2023 (earlier OA No.330/2017) titled as “Axis Bank Versus Shri Deepak Mehrotra”

ii) Compensate the petitioners accordingly ;

iii) or in alternative directions be issued to the respondent No.2 and 3 to reinstate the booked flat ;

iv) Any other relief(s) or order(s) which this Hon'ble Court may deem fit and proper may also be granted in favour of the petitioners and against the respondents, in the ultimate aim of justice.”

2. Admittedly, pursuant to a quadripartite agreement dated 25.06.2011, the Petitioners borrowed a loan of Rs. 90,00,000/-, in order to buy a flat from the Builders/Respondents No. 2 and 3. There was default in re-payment on part of the Petitioners, which compelled



the Respondent No.1/Bank to initiate the proceedings before the learned Debts Recovery Tribunal-I, Delhi ['DRT']. Now, the Petitioners claim that on the information given by the Bank, the booking of the flat was cancelled by the Builder in the year 2015 and there is no reason to continue proceedings before the learned DRT, because he has neither been given the possession of the flat nor the Builder has refunded the amount.

3. This Court has considered the submission made on behalf of the Petitioners and has also perused the material on record.

4. Learned counsel representing the Petitioners has failed to put forth any reason to quash the pending proceedings before the learned DRT.

5. In the opinion of this Court, it would not be appropriate to interfere at this stage, particularly, as the matter is pending before the learned DRT. As and when the case is decided by the learned DRT, the Petitioners shall have recourse to the law.

6. Accordingly, the Petition, along with pending applications, is dismissed as withdrawn.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 14, 2025/sp/er