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

+ **W.P.(C) 13687/2025**

M/S SUMIT AGRO FOOD AND ANRPetitioners

Through: Appearance not given.

versus

**ORIENTAL BANK OF COMMERCE (NOW MERGED
WITH PUNJAB NATIONAL BANK)**

AND ANRRespondents

Through: Mr. Santosh Kumar Rout, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

% **08.09.2025**

1. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, seeking issuance of a writ in the nature of *Mandamus*, praying for quashing and setting aside the auction of its properties, conducted on 18.05.2018 and 12.03.2019, pursuant to the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
2. Admittedly, three appeals filed by the Petitioner before the Debt Recovery Appellate Tribunal, are pending for the last six years.
3. It appears that the Petitioner failed to comply with the requirement of pre-deposit, and consequently, the appeals have not been heard.
4. It is further evident that the Original Application (OA) filed by the Respondent-Bank for recovery of the amount along with interest



was allowed in the year 2019, and consequent thereto, a Recovery Certificate was issued.

5. The Petitioner has also filed objections before the Recovery Officer, Debt Recovery Tribunal, Jaipur, which are stated to be pending.

6. In the aforesaid circumstances, this Court does not find it appropriate to exercise its jurisdiction under Article 226 of the Constitution of India.

7. The Petitioner is relegated to pursue the alternative remedy which he has already availed.

8. Accordingly, the present petition along with pending applications, if any, is dismissed.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
SEPTEMBER 8, 2025/ v/ds