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

+ **W.P.(C) 14239/2025**

**SHYAM BABU GUPTA**

.....Petitioner

Through: Mr. Pramod Kumar Dubey, Sr. Adv.  
with Mr. Neeraj Gupta, Mr. Satyam  
Sharma, Mr. Rupraj Banerjee, Mr.  
Yash Saxena, Mr. Samarth Panwar,  
Mr. Khushi Arora and Mr. Joy  
Banerjee, Advs.

versus

**THE UNION OF INDIA THROUGH ITS SECRETARY MINISTRY  
OF FINANCE & ORS.**

.....Respondents

Through: Ms. Chetanya Puri, SPC for R-1/UOI,  
R-3/Commissioner of Police, R-8/Ins.  
Surender Kumar and R-9/Inspector  
Sunil Kumar.  
Ms. Manashwy Jha, Panel Counsel  
(Civil) GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE VIKAS MAHAJAN**

**ORDER**

**15.09.2025**

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**CM APPL. 58405/2025 (exemption)**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**W.P.(C) 14239/2025 & CM APPL. 58404/2025 (filed by petitioner for  
grant of ex-parte ad-interim directions to ensure the possession of the  
petitioner)**

3. The present petition has been filed seeking following relief:



*“I- Issue a writ of certiorari or any other appropriate writ, quashing the illegal possession proceedings carried out by Respondent no. 5 and 6 on 18.08.2025 in pursuance of the order dated 18.07.2025 passed by Ld. CJM, East KKD Courts, Delhi obtained by playing fraud with the concealment of the facts, vitiates its entire proceedings initiated by the Respondent no. 5 and 6 null and void.*

*II- Issue a writ of mandamus directing Respondent no. 5 and 6 to ensure the possession without and hinderance of the petitioner in respect of ancestral, un demarcated, undivided Property bearing No. L-11 & L-12, Vijay Chowk, Laxmi Nagar, Delhi-92.*

*III- Direct Respondents 1 and 2 to conduct an independent enquiry into the illegal acts committed by Respondents 5 and 6, fix responsibility and take strict disciplinary/penal action.*

*IV- Direct Respondent No. 2 (RBI) to initiate regulatory action against Respondent No. 5 NBFC for violation of RBI's Fair Practice Code, filing of false affidavits, and misuse of SARFAESI powers.*

*V- Award compensation of ₹25,00,000/- (Rupees Twenty Five Lakhs) to the Petitioner for illegal dispossession, loss of shelter, harassment, loss of reputation, mental agony and violation of fundamental rights.*

*VI- Direct respondent No. 2 (RBI) to frame strict guidelines for NBFCs to prevent misuse of SARFAESI powers against nonborrowers, co-owners and third parties.”*

4. After some arguments Mr. Dubey, learned senior counsel appearing on behalf of petitioner seeks to withdraw the present petition with liberty to prosecute the review application filed by the petitioner before the learned DRT, against the order dated 01.02.2025.
5. He urges that necessary direction may be given to the learned DRT to expedite the review application of the petitioner.
6. The petitioner is at liberty to move an application before the learned



DRT requesting therein for expediting the review petition.

7. In the event such an application is filed, the learned DRT shall consider the same having regard to urgency involved.
8. The petition is dismissed as withdrawn with liberty as aforesaid.

**VIKAS MAHAJAN, J**

**SEPTEMBER 15, 2025**  
**N.S. ASWAL**