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

+ W.P.(C) 14409/2025 and CM APPL. Nos. 59109/2025 and 59110/2025

NIRMAL AHUJA

.....Petitioner

Through: Mr. Ritesh Bahri, Mr. Dinesh Malik,
Mr. Kapil Dev, Ms. Divya Yadav,
Mr. Puneet Jain and Mr. Lalit Luthra,
Advs.

versus

KOTAK MAHINDRA BANK LTD

.....Respondent

Through: Mr. Kaushik Mishra and Mr. Shailesh
K. Rajora, Advs. with Shri Nakul
Gupta from Kotak Mahindra Bank.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.09.2025

1. The present petition has been filed by petitioner seeking following reliefs.

“i. Issue a writ of mandamus or any other appropriate writ, order or direction by quashing the Notice dated 08.09.2025 issued by the receiver appointed by Ld. Chief Judicial Magistrate in pursuance to an application under section 14 of SARFASI act moved by the respondent.

ii. The heavy cost be imposed on the respondent for adopting the illegal means by concealing the true and correct facts and giving the false affidavits by filing an application U/s 14 of SARFASI Act before the Ld. CJM,”



2. After some arguments, Mr. Ritesh Bahri, learned counsel appearing on behalf of petitioner seeks to withdraw the present petition with liberty to approach Hon'ble DRT by filing Securitisation Application ('SA').
3. He submits the urgency involved in the matter is that the respondent bank i.e. Kotak Mahindra Bank Ltd. is trying to take possession of the property under Section 14 of the SARFASI Act, 2002.
4. In view of the above, the present petition is dismissed as withdrawn with liberty to the petitioner to approach Hon'ble DRT by filing an SA. In the event such an SA is filed by petitioner seeking interim relief, the same shall be disposed of by Hon'ble DRT within a period of 4 weeks from the date of filing.
5. It is made clear that nothing has been expressed on the merits of the case.
6. In view of above, pending applications also stand disposed of.

VIKAS MAHAJAN, J

SEPTEMBER 17, 2025/jg