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

+ W.P.(C) 15278/2025, CM APPL. 62609/2025

BANK OF MAHARASHTRA

.....Petitioner

Through: Mr. Onkar Roy, Mr. Puneet
Singh Yadav, Mr. Vatanjeet
Singh, Advs.

versus

UNION BANK OF INDIA & ORS.

.....Respondents

Through: Mr. OP Gaggar, Mr. Sachindra
Karn, Advs. for R-1
Mr. Mridul Jain, Adv. for R-4

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

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

ORDER

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06.10.2025

1. Through the present Petition, the Petitioner seeks issuance of direction to the learned Presiding Officer, Debt Recovery Tribunal-II, New Delhi [hereinafter referred to as 'PO, DRT-II'] to retain the surplus sale proceeds arising from sale of secured property in RC No.98/2019 in form of FDR, till the final adjudication of the Appeal pending before PO, DRT-II.
2. The Petitioner herein is a nationalized bank (the second charge-holder) and claims to be a mortgagee of the property bearing House No.999, Sector-9, Urban Estate, Faridabad, Haryana [hereinafter referred to as 'subject property'], which has been sold in public auction. It is the case of the Petitioner that the subject property has been auctioned at the behest of another (the first charge-holder)



mortgagee and an amount of Rs.1 crore is available with the DRT-II after settling the dues of the first charge-holder. The Petitioner has filed an application for retention of the aforesaid amount before the PO, DRT-II, which is pending adjudication and is now listed on 12.12.2025.

3. The Petitioner apprehends that the aforesaid amount shall be released by the Recovery Officer, DRT-II to the mortgagor on 17.10.2025.

4. After some arguments, learned counsel representing the Petitioner submits that the PO, DRT-II may be requested to take up and decide the pending application Petitioner on or before 17.10.2025.

5. This Court has heard the submission made by the learned counsel representing the Petitioner.

6. The PO, DRT-II is directed to take up and decide the pending application on or before 17.10.2025. In the event the PO, DRT-II is unable to decide the application, it shall pass appropriate interim order(s) after considering all aspects of the matter.

7. With the foregoing direction, the present Petition is disposed of. The pending application also stands closed.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

OCTOBER 06, 2025

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