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

+ W.P.(C) 16767/2025 & CM APPLs. 68826/2025, 68827/2025, 68828/2025

M/S PATIL CONSTRUCTION AND INFRASTRUCTURE LIMITEDPetitioner

Through: Mr. Kirtiman Singh, Senior Advocate
with Mr. Taha Yasin, Advocate.

versus

IFCI FACTORS LIMITEDRespondent

Through: Mr. Amish Tandon, Ms. Vanshita Singh and Mr. Uddhav Sharma, Advocates.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
14.11.2025

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1. This writ petition is filed on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following relief:-

“a. Issue a Writ of Mandamus and/or any other appropriate Writ, order or direction calling for setting aside the notice dated 15.10.2025 issued by the Respondent.”

2. Issue notice.

3. Mr. Amish Tandon, learned counsel accepts notice on behalf of the Respondent.

4. Counsel appearing for IFCI Factors Limited submits that IFCI Factors Limited/Respondent No. 1 herein is a subsidiary of IFCI Limited, which has not been impleaded as a party in the present case despite the fact that Petitioner is aware that the loan was assigned to IFCI Limited *albeit* he has instructions to appear for IFCI Limited as well. Having taken this plea,



learned counsel for the Respondent takes an objection to the maintainability of this writ petition and relies on the judgment of the Supreme Court in ***United Bank of India v. Satyawati Tondon and Others, (2010) 8 SCC 110.***

5. Having gone through the relief sought in the present writ petition as also considering that matter is pending before the Debts Recovery Tribunal (DRT), Aurangabad and in light of the judgment of the Supreme Court in ***Satyawati Tondon (supra)***, this Court finds merit in the objection raised by the Respondent.

6. Accordingly, writ petition along with pending applications is dismissed as not maintainable, leaving it open to the Petitioner to take recourse to appropriate remedies, in accordance with law.

7. At this stage, learned counsel for the Respondent, on instructions, fairly submits that no auction has been scheduled on 15.11.2025, however, the same is likely to take place any time in near future.

JYOTI SINGH, J

NOVEMBER 14, 2025

S.Sharma