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

+ **W.P.(C) 462/2025 & CM APPL. 2187/2025**

MR. VIKAS GOYAL & ORS.

.....Petitioners

Through: Mr. Mukul Sharma, Mr. Satish
Kumar, Ms. Anushka Thakur and Ms.
Dakshita, Advocates

versus

HDFC BANK LIMITED, & ANR.

.....Respondent

Through: Mr. R. Ramachandran, Sr. SC with
Mr. Prateek Dhir, Advocate for R-2

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

15.01.2025

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CM APPL. 2188/2025 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(C) 462/2025

1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of the petitioner seeking the following reliefs:

“a) Issue a writ of mandamus or any other appropriate writ, order, or direction to the Debt Recovery Tribunal-II, New Delhi, for expeditious adjudication of Securitisation Application (SA No. 274 of 2023) within a fixed time frame, considering the financial distress and urgency of the Petitioner’s situation;



- b) Direct the Respondent Bank to release the withheld amount of ₹20 lakhs from the sanctioned loan in accordance with the loan agreement, thereby alleviating the financial hardship faced by the Petitioner and facilitating resumption of business operations;*
- c) Direct the Respondent Bank to de-seal and restore possession of the Petitioner's factory premises located at B31/2, Industrial Area, Wazirpur, New Delhi, which was illegally seized without affording the Petitioner a chance to be heard, in violation of the principles of natural justice;*
- d) Issue appropriate directions to the GST Department to reconsider the penalty and interest imposed vide order dated 29.04.2024, ensuring due consideration of the Petitioner's submissions regarding the unavailability of requisite documents;*
- e) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case to ensure justice and equity."*

2. Learned counsel appearing on behalf of the petitioners seeks leave to withdraw the instant petition with liberty to initiate appropriate proceedings before the appropriate forum in accordance with law.

3. Mr. R. Ramachandran, learned Senior Standing Counsel for the respondent No.2 appearing on advance notice submitted that the instant petition is nothing but a gross misuse of process of law and the prayer no. d of the instant petition which is made by petitioner for issuance of directions to the GST-Department is baseless and does not have any grounds. Accordingly, the instant petition may be dismissed, however, since the learned counsel appearing on behalf of the petitioners made an innocuous prayer to withdraw the instant petition and has not pressed the matter on merits, he has no objection for withdrawal of the instant petition.

4. Leave granted.



5. Accordingly, the instant petition is dismissed as withdrawn with liberty as prayed for.

CHANDRA DHARI SINGH, J

MANOJ JAIN, J

JANUARY 15, 2025
gs/st

[Click here to check corrigendum, if any](#)