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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8/2026 & CM APPL. 20/2026**
SURINDER KUMAR JAINPetitioner
Through: **Mr. Sanjay Rathi & Mr. Puneet Jain,**
Adv.

versus

PIRAMAL FINANCE LTD.Respondent
Through: **Mr. Mukul Bhimani, Adv. for R-1.**

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER
05.01.2026

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1. The present writ petition has been filed by the petitioner under Article 226 & 227 of the Constitution of India read with Section 151 of the Code of Civil Procedure, 1908 seeking the following reliefs:-

- A. *Issue a writ of certiorari and/or mandamus and/or any other appropriate writ, order or direction staying the effect, operation and further implementation of (i) the order dated 09.12.2025 passed by the Ld. CJM, North-West, Rohini, in CT Case No. 25741/2025 appointing Receiver and authorising taking of physical possession of the petitioners' residential property bearing No. BG-46, Block-BG, East Shalimar Bagh, Delhi-110088, and (ii) the possession /eviction notice dated 18.12.2025 issued by the Court Receiver pursuant thereto, till the pendency and final disposal of the Petitioners' appeal before the DRAT, Delhi having Misc Appeal No. 2515/2025.*
- B. *Issue a writ of mandamus or any other appropriate*



writ, order or direction directing Debts Recovery Appellate Tribunal, Delhi, to list and hear Misc. Appeal No. 2515/ 2025 preferred by the Petitioners under Section 18 of the SARFAESI Act against the order dated 25.11.2025 passed by DRT—I, Delhi in SA No. 208/2025 and the order dated 09.12.2025 passed by the Ld. CJM, North-West, Rohini in CT Case No. 25741/2025, on the earliest possible date and to dispose of the same expeditiously, within a time-bound schedule as may be fixed by this Hon'ble Court.

- C. *Pending disposal of this writ petition and/or the statutory appeal before the DRAT having Misc. Appeal No. 2515/ 2025, restrain Respondent, its officers, agents, assignees and the Court Receiver, from taking any coercive steps, including but not limited to taking physical possession, dispossessing the Petitioners or creating third party rights in respect of the above said residential including but not limited to taking physical possession, dispossessing the Petitioners or creating third party rights in respect of the above said residential property, and direct that the Petitioners shall not be dispossessed otherwise than in accordance with law and without prior permission of this Hon'ble Court.”*

2. After arguing at some length, learned counsel for the petitioner, without prejudice to his rights and contentions, seeks to withdraw the present writ petition with liberty to file afresh petition under Article 227 of the Constitution of India, for relief, if any, with regard to his application filed under Section 17(1) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, pending before the DRAT, in accordance with law.



3. Accordingly, the present writ petition is dismissed as withdrawn, with liberty as aforesaid.
4. All pending application(s) also stand disposed of in aforesaid terms.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

JANUARY 5, 2026/pk/tr