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

+ **W.P.(C) 1969/2026 & CM APPL. 9629/2026**

SAKSHI GROVER

.....Petitioner

Through: Mr. Nishith Srivastava(Adv) & Mr.
Vijendra Chourasia(Adv)

versus

CENTRAL BANK OF INDIA

.....Respondent

Through: Mr. Santosh Kumar Rout, SC

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

12.02.2026

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1. This is a writ petition filed under Articles 226 and 227 of the Constitution of India seeking the following prayers:-

“a) Stay the auction proceedings scheduled for 13.02.2026 pursuant to the proclamation of sale issued by Respondent No.1;

b) Stay all further execution proceedings arising out of the Recovery Certificate issued pursuant to judgment dated 01.04.2019 passed by DRT-III, Delhi;

c) Direct maintenance of status quo with respect to possession of the subject property;...”

2. The petitioner became the owner of the property on 28.10.2010 by virtue of a duly executed and registered Sale Deed executed by Ms. Suman Gupta in her favour. Subsequently, on 16.04.2012, the petitioner was taken aback to find that a notice had been affixed on the property pursuant to an order passed by the learned ACMM.
3. Thereafter, the petitioner filed a Securitisation Application No. 311/2012 under Section 17(1) of SARFAESI Act, 2002 for appropriate relief. The said application was dismissed on 01.04.2009. Immediately, the petitioner filed an appeal before the DRAT with an application for stay



and condonation of delay.

4. On 16.09.2025, the counsel for the petitioner (appellant before the DRAT) could not appear and subsequently, a sale proclamation notice was sent to the petitioner through Speed Post.
5. The petitioner on getting to know the sale proclamation, immediately moved an application for restoration before the DRAT and the next date is 15.04.2026, wherein the notice has been issued.
6. The auction is fixed for 13.02.2026 and hence, the present petition.
7. For the said reasons, issue notice.
8. Mr. Rout, learned standing counsel accepts notice on behalf of the respondent.
9. The petitioner, in the present writ petition, is only seeking adjudication of his appeal before the DRAT and in case the property is auctioned, the appeal before the DRAT (which was dismissed for non-prosecution) will become an empty formality.
10. For the said reasons, it is directed that the petitioner and/or the bank will move an early hearing application before the DRAT and the DRAT will hear and decide the appeal expeditiously.
11. In this view of the matter it is directed that till the date the application/appeal is not adjudicated by the DRAT, no coercive steps shall be taken by the respondent.
12. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

FEBRUARY 12, 2026 / (MS)