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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2649/2026 & CM APPL. 12892/2026, CM APPL. 12893/2026

SH RAKESH GULATI & ORS.

.....Petitioners

Through: Advocate (appearance not given).

versus

FEDERAL BANK LTD & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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28.04.2026

1. The present writ petition has been filed under Articles 226 and 227 of the Constitution of India seeking the following directions:

“(a) issue an appropriate writ and / or appropriate directions thereby staying the recovery proceedings before the Ld. Recovery Officer, DRT-I, Delhi in R.C. No. 198 of 2015 till the petitioners’ case being Appeal No. 159/2018 is heard on merits by the Ld. DRAT, Delhi

(b) restrain the auction purchaser / Respondent no. 6 from creating any third party interest/right in the auction properties of the petitioners till the petitioners’ case being Appeal No. 159/2018 is heard on merits by the Ld. DRAT, Delhi

(c) Any other order that this Hon'ble Court deems fit and proper in the facts and circumstances in the instant case in the interest of justice.”



2. The learned counsel for the petitioners submits that the petitioners have already filed an appeal being Appeal no. 159/2018, assailing the Impugned Order before the learned Debt Recovery Appellate Tribunal (hereinafter referred to as, 'DRAT'). However, the same has not been taken up for hearing and is still pending for adjudication.

3. The learned counsel for the petitioners, after arguing at some length, seeks permission of this Court to withdraw the present petition with liberty to file an urgency application before the learned DRAT, Delhi, seeking early hearing of the appeal.

4. In view of the above, the petitioners are permitted to move an appropriate application with regard to their urgency before the concerned DRAT, Delhi.

5. As soon as the urgency application is filed, we expect the concerned DRAT to consider and pass an order in accordance with law as expeditiously as possible, without granting any unnecessary adjournments.

6. With the aforesaid directions, the petition, along with pending applications, stands disposed of.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

APRIL 28, 2026

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