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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5879/2026 & CM APPL. 28859/2026, CM APPL. 28860/2026**

MANSI SHARMA

.....Petitioner

Through: Mr. Sohit Bhardwaj, Mr. Rahul
Kushwaha, Mr. Pardeep Kumar
Karhana, Mr. Ishu Jain, Advs.

versus

CHOLAMANDALAM INVESTMENT AND FINANCE

COMPANY LIMITED

.....Respondent

Through: Mr. Sidharth Chopra, Mr. Navneet
Thakran, Mr. Aditya Awasthi, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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04.05.2026

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

“1. Issue a Writ of mandamus directing restoration of possession of the Suit Property to the petitioner;

2. Issue a Writ of Mandamus directing Respondent to cease all interference with the petitioner's property;

3. Issue a Writ of Prohibition restraining Respondent from further executing the impugned order insofar as it affects the petitioner;

4. Quash the order dated 09.01.2024 to the extent it authorizes possession of the petitioner's property;



- 5. Award and Direct Respondent to pay compensation and damages of Rs. 22,50,000/- to the Petitioner, or such higher amount as may be found just and proper upon final adjudication, on account of prolonged wrongful dispossession and consequential losses;*
 - 6. Grant a perpetual injunction restraining interference with the petitioner's property rights;*
 - 7. Pass restitutionary directions for restoration of possession, return of keys/access, removal of obstructions, and restoration of full, peaceful and vacant enjoyment of the Petitioner's independent second-floor portion, if not already restored;*
 - 8. Award pendente lite and future interest on the quantified compensation amount at such rate as this Hon'ble Court deems fit and proper;*
 - 9. Grant interim relief for immediate restoration of possession;*
 - 10. Award costs and expenses;...”*
2. The case of the petitioner is that the property of the petitioner being second floor, G-2, Vishnu Garden, New Delhi, has been purchased by the petitioner as per the registered Sale Deed. Additionally, the said property was never mortgaged with the respondent and the petitioner has also not availed any loan from the respondent. Despite the same, the property of the petitioner has been attached under the SARFAESI proceedings.
 3. The petitioner has challenged the same before the Debt Recovery



Tribunal (“**DRT**”), wherein the petitioner did not get any relief. The petitioner thereafter approached the Debts Recovery Appellate Tribunal (“**DRAT**”).

4. For the said reasons, issue notice.
5. Mr. Chopra, learned counsel accepts notice on behalf of the respondent.
6. Since the matter is pending before the DRAT, I am of the view that under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 the appropriate remedy for the petitioner is to press his petition and application for stay before the DRAT, being the equally efficacious remedy.
7. The present petition is disposed of granting liberty to the petitioner to approach the DRAT and exercise her available legal rights.
8. The DRAT is requested to adjudicate the application of the petitioner expeditiously.

JASMEET SINGH, J

MAY 4, 2026/sp