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

+ W.P.(C) 11722/2019, CM APPL. 48178/2019

HAMIDA BEGUM

.....Petitioner

Through: Mr. Rudrashish Bhardwaj, Ms.
Sejal Jain, Advs.

versus

VIJAYA BANK THROUGH ITS BRANCH/CHIEF
MANAGER & ORSRespondents

Through: Mr. Sougat Sinha, Ms. R.
Gayathri Mansa, Ms. Maitrayee
Shrivastava, Mr. Vishal
Majumdar, Ms. Sonali Kumar,
Advs. for R-1.

Ms. Amrita Singh, Mr. Sanket
Khandelwal, Mr. P. Sharma,
Advs. for R-2/HDFC Bank.

Mr. Rishabh Jain, Advocate for
R-3.

Ms. Amrita Prakash, CGSC
with Mr. Vishal Ashwani
Mehta, Adv. for R-4/IOI.

CORAM:

HON'BLE MR. JUSTICE VIVEK CHAUDHARY

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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08.04.2026

1. The present petition has been filed under Article 226 and 227 of the Constitution of India seeking issuance of writ in the nature of certiorari or any other appropriate writ assailing the Order dated 21.10.2019 (hereinafter "impugned order") passed by the learned Debt Recovery Appellate Tribunal, New Delhi (hereinafter 'DRAT') in Misc. Appeal No. 409/2019 which arises out of S.A. No. 222/2019



before the learned Debt Recovery Tribunal-III, Delhi (hereinafter 'DRT')

2. We have heard learned counsel for the parties.

3. The present writ petition arises out of a dispute concerning the genuineness of the two sets of title documents in respect of the property in question before the DRT in S.A. No. 222/2019 (hereinafter "the property in question"), one set in favour of the petitioner and while other claiming it to be owned by Respondent No.5. The petitioner has obtained a loan from respondent No. 2-Bank, on the other hand, the respondent No. 5 has also obtained a loan from respondent No. 1-Bank. The title documents of the same property are pledged with the two different banks.

4. The question as to which set of title documents is genuine yet remains to be considered and decided by the DRT. The DRT has transmitted/forwarded the title documents to the Investigating Officer in the criminal FIR registered in the matter, who in turn has forwarded the same to the FSL for examination and report.

5. The petitioner's prayer for interim relief was refused by the DRT.

6. Aggrieved thereby, the petitioner preferred an appeal before the DRAT. While entertaining the said appeal, the DRAT directed the petitioner to make the pre-deposit as per law. Against the said order of the DRAT, the petitioner has approached this Court.

7. All the parties agree that the dispute regarding the genuineness of title deed is yet to be decided by the DRT and thus, the DRT should proceed to decide it. They also agree that till the said dispute is



decided, all the parties shall maintain *status-quo* with respect to the property in question.

8. In view thereof, the matter is remanded to the DRT. The DRT shall proceed to decide the dispute of genuineness/forgery of the title documents along with all the other issues raised before it, in accordance with evidence placed before it, including the FSL report. Till then, all parties shall maintain *status-quo* with regard to the possession as well as the status of the property.

9. The learned counsel for the petitioner further submits that the appeal presently pending before the DRAT shall also be withdrawn forthwith.

10. Accordingly, the present petition, along with pending applications, stands disposed of in the above terms.

VIVEK CHAUDHARY, J

RENU BHATNAGAR, J

APRIL 8, 2026/bs/ka/nc