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

\+ W.P.(C) 3438/2026 & CM APPL. 16512/2026

B9 BEVERAGES LIMITED .....Petitioner

Through: Mr. Mirza, Adv.(appearance not given)

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Abhishek Yadav, SPC for R-1/UOI

Mr. Akhil Anand, Mr. Himanshu Vij, Advs. for R-3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

O R D E R

% **24.03.2026**

1. Mr. Mirza, learned counsel for the petitioner, states that the petitioner is ready to top up the fixed deposit to Rs. 1 crore, which will be 20% of the loan exposure of the petitioner.

2. Mr. Vij, learned counsel for the respondent No. 3, states that it would be appropriate that the petitioner/ its representative approach the respondent No. 3 bank with the proposal to top up.

3. The same shall be considered by the respondent No. 3 bank in accordance with its extant rules and regulations. Let the needful be done as above.

4. Mr. Mirza, learned counsel for the petitioner, on instructions states that respondent No. 1 shall be deleted from the Memo of Parties.

5. Hence, respondent No. 1 is deleted from the Memo of Parties.

6. Let amended Memo of Parties be filed before the next date of hearing.

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7. List on 08.05.2026.

<u>CM APPL. 16512/2026</u>

8. This is an application filed under Section 151 of CPC, 1908 seeking interim stay on the impugned SCN dated 13.02.2026 and impugned order dated 09.03.2026 passed by respondent No. 3 bank.

9. For the reasons stated in the application, issue notice.

10. Mr. Vij, learned counsel accepts notice on behalf of the respondent No. 3 bank.

11. The petitioner has been able to demonstrate a *prima-facie* case, the balance of convenience also lies in favor of the petitioner. As in case precipitative action is taken, the petitioner would be declared a fraud, which will put a death knell on the financials of the petitioner company, which is trying to revive its business and the same cannot be reversed.

12. In case the settlement proposal of the petitioner is rejected, the respondent No. 3 bank can always initiate further proceedings in accordance with law at a subsequent stage.

13. Since the petitioner is approaching the respondent No. 3 bank with a proposal to top up the fixed deposit to the tune of 20% of the loan exposure, in order to give the settlement a fair run, it is directed that till the next date of hearing, no precipitative action shall be taken by respondent No. 3 bank.

14. List on 08.05.2026.

JASMEET SINGH, J

MARCH 24, 2026/sp

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