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

+ **W.P.(C) 9411/2023**

PAWAN GOEL

.....Petitioner

Through: Mr. Ajeet Yadav and Mr. Prabhash
Kumar Singh, Advs.

versus

BANK OF INDIA

.....Respondent

Through: Mr. Jaspreet Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

07.08.2025

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1. The present writ petition has been filed seeking execution of sale deed in favour of the petitioner in respect of property WZ-82, Block-T, Vishnu Garden Extension, New Delhi-110018.
2. Mr. Ajeet Yadav, the learned counsel appearing on behalf of petitioner submits that the petitioner is the successful auction purchaser in the auction held by respondent bank pursuant to the provisions of the SARFAESI Act. He submits that sale certificate has also been issued by the bank, however, respondent has not handed over possession of the plot to petitioner.
3. On the other hand, Mr. Jaspreet Singh, learned counsel appearing on behalf of the respondent/bank, submits that the bank had taken possession of aforesaid property under Section 14 of the SARFAESI Act, however, after auction, when officials of the bank visited the site to hand over possession to



the petitioner/auction purchaser, it was found that the borrower had trespassed into the property again.

4. He submits that the borrower is still occupying the property in question, therefore, the bank is not in a position to hand over vacant possession to the petitioner.

5. According to Mr. Singh, the property is now occupied by Smt. Sunita Kansal and Sh. Ramesh Kansal.

6. On oral request of the learned counsel for the petitioner, Smt. Sunita Kansal and Sh. Ramesh Kansal, both residents of T 82 & 83, Block-T, Vishnu Garden Extension, New Delhi-110018, are impleaded as respondent nos. 2 and 3.

7. Let amended memo of parties be filed within a period of one week.

8. On petitioner taking steps, issue notice to respondent nos. 2 and 3 by all permissible modes, returnable on 05.12.2025.

VIKAS MAHAJAN, J

AUGUST 7, 2025

N.S. ASWAL