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

+ **RC.REV. 497/2019**

M/S KAROL BAGH MASALA

.....Petitioner

Through: Mr. Vijay Kr. Gupta and Mr. Mehul
Gupta, Advocates

versus

RAKESH KUMAR JAIN

.....Respondent

Through: Mr. Ravi Aggarwal, Advocate for the
SBI

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **16.07.2024**

CM APPL. 36436/2024 (for directions)

1. It is stated in the application that this Court vide order dated 23.08.2019 granted stay of the operation of the impugned order subject to the payment of use and occupation charges and the petitioner is regularly paying the use and occupational charges to the respondent. However, the State Bank of India has initiated the proceedings under the SARFAESI Act, 2002 and as such the petitioner is apprehending that possession of the tenanted premises may be taken by the Bank, i.e. the State Bank of India.
2. Mr. Ravi Aggarwal, Advocate for the State Bank of India stated that the tenanted premises is not mortgaged with the Bank and only the movable articles which were lying in the property have been mortgaged. It is further stated that the proceedings under the SARFAESI Act, 2002 are not initiated against the respondent.



3. In view of the submissions made by Mr. Ravi Aggarwal, Advocate for the State Bank of India, the counsel for the petitioner stated that the application be disposed of.

4. Accordingly, the present application in view of the submissions made by Mr. Ravi Aggarwal, the stands disposed of.

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5. List on 25.10.2024, the date already fixed before the Registrar.

6. It is made clear that there is no need for the State Bank of India to appear in the present petition.

DR. SUDHIR KUMAR JAIN, J

JULY 16, 2024

sk/abk