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

+ **W.P.(C) 12549/2023, CM APPL. 49488/2023 and CM APPL. 19608/2025**

VIKRAM SACHDEVA & ANR.

.....Petitioners

Through: Mr. Navin Kumar, Ms. Aarti Mahto, Mr. Shantanu Sharma, Adv.

versus

UNION BANK OF INDIA & ANR.

.....Respondents

Through: Mr. O.P. Gaggar and Mr. Sachindra Karn, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

ORDER

% **14.10.2025**

1. Learned counsel representing the Petitioners, submits that the requirement of pre-deposit under the Proviso to Section 18 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ['SARFAESI Act'] can be entirely dispensed with. In support of the aforesaid contention, reliance has been placed on the order dated 15.02.2019 in **W.P.(C) 9659/2017** titled **M/S Rashi Wear Pvt. Ltd. and Ors v. Bank of Baroda; Srishti Arogyadham Pvt. Ltd. vs. Punjab National Bank and Ors.**¹ and **Sidha Neelkanth Paper Industries Pvt. Ltd. and Anr. vs. Andhra Bank and Others**².

2. *Per contra*, learned counsel representing the Respondents has

¹ MANU/DE/4444/2018

² (2018) SCC OnLine Del 13503



relied upon a judgment of the Supreme Court in ***Union Bank of India v. Rajat Infrastructure Pvt. Ltd. & Ors.***³, to submit that the Court therein has held that the requirement of pre-deposit cannot be dispensed with.

3. List on 11.11.2025 for further consideration.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.
OCTOBER 14, 2025/sp/hr

³ (2020) 3 SCC 770