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

+ W.P.(C) 17392/2024

VIKRAM BHATIA & ANR.

.....Petitioners

Through: Mr.Shashi Kaushik & Mr.Narender
Kumar, Advs.

versus

UOI THROUGH MINISTRY OF HOUSING AND URBAN
AFFAIRS & ORS.

.....Respondents

Through: Mr.Shrey Sharawat & Ms.Ishita
Misra, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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17.12.2024

CM APPL. 74043/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 17392/2024 & CM APPL. 74042/2024 (stay)

3. The present writ petition preferred under Articles 226 and 227 of the Constitution of India by a home buyer primarily seeks to assail the action of respondent no.3/ HDFC Bank Ltd. seeking recovery of loan amount from the petitioner despite the respondent no.4/ Supertech Ltd. having failed to carry out the requisite construction, for which purpose, the petitioner had availed of a loan from respondent no.3/Bank.
4. Learned counsel for the petitioner submits that similar petitions including W.P.(C) 242/2024 are already pending consideration before



the learned Single Judge, wherein the learned Single Judge by relying on the interim order passed by the Apex Court on 17.04.2023, has passed an interim order restraining the Bank therein from taking any coercive steps against the petitioner during the pendency of the writ petition. He, therefore, prays that a similar restraining order be passed against the respondent no.3/ Bank.

5. In the light of the aforesaid submissions, we are of the view that the present petition ought to be listed before the learned Single Judge. We, accordingly, direct that subject to orders of Hon'ble the Acting Chief Justice, the present writ petition be listed before the learned Single Judge dealing with W.P.(C) 242/2024 as per Roster on 19.12.2024.

REKHA PALLI, J

SAURABH BANERJEE, J

DECEMBER 17, 2024

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