

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 5687/2026

Virendra Bhandari S/o Mr. Daljeet Bhandari, aged About 66
Years, R/o 172_173, 8 Mia Road No.3, Udaipur, Rajasthan

----Petitioner

Versus

1. Canara Bank (Erstwhile Syndicate Bank), Through Its Authorized Officer, Registered Office At Canara Bank Circle Office No. 112, J.c. Road, Bengaluru 560002, Karnataka, India Having Its Branch Office At 1, Babu Bazaar, Udaipur
2. The Registrar, Debt Recovery Appellate Tribunal, The Registrar, Debt Recovery Appellate Tribunal, Delhi, 4Th Floor, India Habitat Centre, Lodhi Road, New Delhi _ 110003
3. The Registrar, Debt Recovery Tribunal, Jaipur 2Nd And 3Rd Floor, Jeevan Nidhi_Ii Building, Lic Complex, Ambedkar Circle, Bhawani Singh Road Jaipur _ 302005, Rajasthan, India
4. The Recovery Officer, Debt Recovery Tribunal, Jaipur 2Nd And 3Rd Floo Jeevan Nidhi_Ii Building, Lic Complex, Ambedkar Circle, Bhawani Sing Road, Jaipur_302005, Rajasthan.
5. M/s V.s Bhandari Cold House Pvt. Ltd, Through, Its Authoriz Representative Having Its Regd. Office_ 392, Master Colony, Ambam Udaipur
6. Mr. Surendra Bhandari, Aged About 61 Years, R/o 207, Sardarpura Udaipur Also At 217, Sardarpura, Udaipur.
7. Smt. Sangeeta Bhandari, Aged About 59 Years, R/o 392, Master Colony, Ambamata, Udaipur
8. Smt Seema Bhandari, Aged About 63 Years, R/o 207 C_12, Sardarpura, Udaipur Also, At 217 Sardarpura Udaipur
9. Shri Yashwant Paneri, Aged About 55 Years, R/o 209,roa Ji Ka Hutta Udaipur

----Respondents

For Petitioner(s)	:	Mr. Veyan Katesh Garg (through VC) Mr. Akshay Kothari
For Respondent(s)	:	Dr. Mohit Singhvi Mr. Vishwash Khatri Mr. Utkarsh Bapna Mr. Prateek Kothari

HON'BLE MR. JUSTICE KULDEEP MATHUR**Order****27/03/2026**

By way of filing the present writ petition, the petitioner has prayed for the following reliefs:-

"In light of the facts and grounds stated hereinabove, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to issue an appropriate writ, order, or direction to the effect that:

a. the Petitioner's Chamber appeal bearing Diary No. 91/2026 pending before the Hon'ble Debt Recovery Appellate Tribunal be heard and listed expeditiously, and the same may be decided within a time-bound period as deemed fit by this Hon'ble Court.

b. the operation, implementation, and effect of the e-auction dated 13.03.2026 in O.A. No. 39/2013 vide order dated 12.01.2026 (Annexure-13) be stayed and any subsequent recovery proceedings pending disposal of the Chamber Appeal may also kindly be stayed,

c. the Respondents may kindly be restrained from taking any coercive recovery steps pursuant to Recovery Certificate No. 241/2023 (Annexure-6)

d. the proceedings pursuant to the recovery before the Hon'ble Debt Recovery Tribunal, Jaipur may be suspended till the Petitioner's pending Chamber appeal before the Debt Recovery Appellate Tribunal is heard and decided on merits. ..."

2. After hearing learned counsel for the petitioner, this Court finds that on 10.01.2026, the petitioner has filed the requisite Chamber Appeal seeking restoration of the earlier appeal preferred by the petitioner against the order passed by the DRT which was not registered, due to non-compliance of the mandatory requirements of pre-deposit under Section 20 of the Recovery of Debts and Bankruptcy Act, 1993, which is pending before the Debt Recovery Appellate Tribunal and the next date of hearing is fixed on 06.04.2026.

3. In view of the fact that the petitioner has already filed a Chamber Appeal before the Debt Recovery Appellate Tribunal, the

present writ petition is disposed of as the writ jurisdiction cannot be exercised to circumvent the efficacious alternative remedy available to the petitioner under the SARFAESI Act, 2002. It is expected from the Debt Recovery Appellate Tribunal to consider and decide the Chamber Appeal filed by the present petitioner on the next date of hearing i.e. 06.04.2026.

4. It is made clear that the interim order dated 16.03.2026 passed by this Court shall remain in currency till 06.04.2026.

(KULDEEP MATHUR),J

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