

Item.16

16.07.2026
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Ct. 7

WPA 16515 of 2026

Midland Nursing Home Private Limited & another.

-vs-

LIC Housing Finance Limited and others.

Mr. Subir Sanyal, Sr. Adv.
Mr. Kaushik Chatterjee
Mr. Ritoban Sarkar
Mr. Soham Sen

...for the petitioners

Mr. Biswaroop Bhattacharya
Mr. A. K. Rai

...for the respondent no.1

1. This writ petition assails the action taken by the respondent no.1, LIC Housing Finance Limited under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
2. This is the fourth round of writ litigation at the instance of the petitioners against the respondent no.1.
3. In the immediately preceding round, i.e. in WPA 1510 of 2026, the petitioners had assailed *inter alia* an order dated December 15, 2025. A Co-ordinate Bench of this Court disposed of the said writ petition by an order dated January 29, 2026 thereby granting liberty to the petitioners to approach either the Debts Recovery Tribunal or the Debts Recovery Appellate Tribunal and

had requesting the Tribunal to decide the issue indicated in the said order finally before undertaking any further proceeding connected with SA 712 of 2024.

4. The petitioners then approached the Debts Recovery Tribunal by an application for review of the order dated December 15, 2025 passed by the said Tribunal, which order also formed subject matter of the previous writ petition as indicated earlier.
5. The Tribunal decided such application by an order dated 25.03.2026.
6. The said order dated March 25, 2026, has not been carried in appeal before the Debts Recovery Appellate Tribunal. However, a further application for review as well as recalling of the order dated March 25, 2026 has been filed before the Tribunal. It is stated that the said application is pending.
7. The petitioners are now before this Court again *inter alia* seeking stay of all actions of the respondent no. 1 under the 2002 Act. It is noticed that the main SARFAESI application (i.e. SA 712 of 2024) had been filed in the year 2024 and there has been a plethora of interlocutory applications in the two year interregnum.
8. Such being the situation when the petitioners are already there before the Debts Recovery Tribunal, therefore it would appropriate to request the Tribunal to dispose of the SARFAESI application (SA 712 of

2024) along with all the connected applications preferably by the end of August 2026. This Court has been informed that the next date fixed before the DRT is July 24, 2026.

9. It is clarified that this Court has not gone into the merits of the petitioners' case and all points are left open to be urged and decided by the Tribunal, strictly in accordance with law.
10. WPA 16515 of 2026 stands disposed of with the above observations. No costs.

(Om Narayan Rai, J.)