

ITEM NO.34

COURT NO.8

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 12010/2026

[Arising out of impugned final judgment and order dated 13-03-2026 in MUA227 No. 3164/2025 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

SARVJEET SINGH

Petitioner

VERSUS

CHANDRALEKHA SINGH & ORS.

Respondents

(FOR ADMISSION

I.A. No.97777/2026-EXEMPTION FROM FILING O.T.

I.A. No.97776/2026-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA

HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Samrat Nigam, Sr. Adv.
Mr. Sudarshan Rajan, AOR
Mr. Mahesh Kumar, Adv.
Ms. Srishti Sharma, Adv.
Mr. Nischay Chaudhary, Adv.
Mr. Ramesh Rawat, Adv.
Mr. Hitain Bajaj, Adv.
Mr. Sambhav Sharma, Adv.
Mr. Akshansh Mogha, Adv.
Ms. Ria Setiya, Adv.
Ms. Kashish, Adv.
Mr. Ashutosh Gupta, Adv.

For Respondent(s) :Mr. Talha Abdul Rahman, AOR
Mr. Shuktiz Sinha, Adv.
Mr. Sudhanshu Tewari, Adv.
Mr. Faizan Ahmed, Adv.

Mr. Arun Aggarwal, AOR
Ms. Anshika Agarwal, Adv.
Mr. Lovesh Kukreja, Adv.
Ms. Kajal Ashok Mishra, Adv.

**UPON hearing the counsel the Court made the following
O R D E R**

1. The order impugned has been passed by the High Court, in exercise of jurisdiction conferred by Article 227 of the Constitution of India. It has set aside the order of the relevant Debts Recovery Tribunal¹ quashing an auction sale conducted by the secured creditor in terms of the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002² in favour of the first respondent and ordered a remand for fresh consideration of the application of the petitioner under Section 17 of the Act upon, *inter alia*, hearing the said respondent.
2. We find no reason to interfere with the impugned order passed by the High Court.
3. However, two clarifications are required to be provided, viz.:
 - i. The observations/findings in the impugned order are to be read for the purpose of disposal of the petition under Article 227 presented before the High Court by the first respondent and will have no bearing while the DRT proceeds to decide the application of the petitioner under Section 17 of the Act afresh, on remand; and
 - ii. Since, it is accepted by learned counsel for the secured creditor that possession of the secured asset is still with the petitioner, such possession shall be maintained till the DRT decides the application before it in terms of the order of remand.
4. We encourage the DRT to conclude the proceedings, as early as possible,

¹ DRT

² Act

in accordance with law but not beyond 60 days from date of receipt of a copy of this order.

5. The special leave petition is disposed of, on the above terms.
6. All contentions on merits are left open.
7. Any vacancy in the office of the presiding officer of the relevant bench of the DRT having jurisdiction to decide the petitioner's application under Section 17 will not be sufficient ground for not complying with this order; in such an eventuality, the application may be heard and decided by the presiding officer who is entrusted with additional charge of the relevant bench.
8. Parties assure us that they will cooperate with the presiding officer to secure full and final compliance of this order.
9. Pending application(s), if any, shall stand disposed of.

(LOKESH ARORA)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)