
(2025) 05 DRAT CK 0996

In the Debts Recovery Appellate Tribunal, Allahabad

Case No : Appeal Dy. No. 717 Of 2025

Jayanti Yadav

APPELLANT

Vs

Ujjivan Small Finance Bank Ltd

RESPONDENT

Date of Decision : 14-05-2025

Acts Referred:

Securitisation And Reconstruction Of Financial Assets And Enforcement Of Security Interest Act, 2002 — Section 18

Citation : (2025) 05 DRAT CK 0996

Hon'ble Judges : R. D. Khare, Chairperson

Bench : Single Bench

Advocate : M. K. Srivastava, Prabhav Srivastava

Final Decision : Disposed Of

Judgement

R. D. Khare, Chairperson

Heard the learned counsel for the appellant.

The present appeal has been filed under section 18 of the SARFAESI Act against the interim order dated 08.04.2025 passed by the Tribunal below in S.A. No. 261/2025, whereby the prayer for interim relief has been declined.

Learned counsel for the appellant contends that the Bank has proceeded against the property, which is not mortgaged. The said contention has been refuted by the learned counsel for the respondent-Bank.

After hearing the learned counsel for the appellant and considering the facts and circumstances of the case, this court is of the opinion that since the securitization application is still pending before the Tribunal below, therefore, there is remedy open to the appellant by filing appropriate application for redressal of his grievances before the Tribunal below against the interim order. If such application is filed, this Tribunal has no doubt that the Tribunal below shall consider and decide the same in accordance with law most expeditiously preferably on the

same day or within a week thereafter.

In view of the aforesaid, the present appeal is finally disposed off.