
(2025) 06 UK CK 0439

In the Uttarakhand High Court

Case No : Writ Petition No. 537 Of 2025 (M/S)

M/s Shri Shani Sai Minerals And Another

APPELLANT

Vs

Punjab National Bank And Another

RESPONDENT

Date of Decision : 06-06-2025

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2025) 06 UK CK 0439

Hon'ble Judges : Alok Kumar Verma, J

Bench : Single Bench

Advocate : Abhilasha Tomar, Ashish Joshi

Final Decision : Disposed Of

Judgement

Alok Kumar Verma, J

1. Present Writ Petition has been filed under Article 226 of the Constitution of India with the following prayers: -

“(i) Issue a writ, order or direction in the nature of Certiorari to call for the record and to quash/ set aside the impugned Sale Notice dated 24.01.2025 passed by the respondent bank and any subsequent proceedings in furtherance of this Sale Notice for E-Auction (Annexure No.7).

(ii) Issue a writ, order or direction in the nature of Mandamus for directing the respondent Bank not to initiate any coercive proceeding against the petitioners till matter before Debts Recovery Tribunal, Dehradun is pending.

(iii) Issue any other and further order or direction which this Hon’ble Court may deem fit and proper under the facts and circumstances of the case.

(iv) Award cost of the petition to the petitioners.”

2. Heard Ms. Abhilasha Tomar, learned counsel for the petitioners and Mr. Ashish Joshi, learned counsel for the respondent no.1.

3. Ms. Abhilasha Tomar, Advocate submitted that S.A. No.156 of 2024 "M/s Shri Shani Sai Mineral & Another vs. Punjab National Bank", is pending before the Debts Recovery Tribunal, Dehradun. She has requested to dispose of the present writ petition by directing the Debts Recovery Tribunal, Dehradun to decide the said S.A. No.156 of 2024 as expeditiously as possible.

4. The said request has not been opposed by Mr. Ashish Joshi, Advocate.

5. On the request of Ms. Abhilasha Tomar, Advocate and with the consent of Mr. Ashish Joshi, Advocate, the present writ petition (WPMS No.537 of 2025) is disposed of by directing the Debts Recovery Tribunal, Dehradun to decide S.A. No.156 of 2024 "M/s Shri Shani Sai Mineral & Another vs. Punjab National Bank", as expeditiously as possible and in accordance with law.

6. It is made clear that this Court has not expressed any opinion on the merits of the case.