

(2026) 01 MP CK 1787

In the Madhya Pradesh High Court, Indore Bench

Case No : Writ Petition No. 2096 Of 2026

M/S Socrus Pharmaceuticals Limited

APPELLANT

Vs

Punjab National Bank

RESPONDENT

Date of Decision : 19-01-2026

Acts Referred:

Constitution Of India, 1950 — Article 226

Recovery Of Debts And Bankruptcy Act, 1993 — Section 30A

Citation : (2026) 01 MP CK 1787

Hon'ble Judges : Vijay Kumar Shukla, J;Alok Awasthi, J

Bench : Division Bench

Advocate : Manu Maheshwari, Ashutosh Gondli, Praveen Chaturvedi, Mayur Baghela

Final Decision : Dismissed

Judgement

Vijay Kumar Shukla, J

1. The present petition is filed under Article 226 of the Constitution of India seeking number of reliefs however, during the course of argument, counsel for the petitioner confined his prayer to the prayer No.7 (b) that the Debt Recovery Tribunal be directed to hear his pending review petition on merits and till then the Recovery Officer, DRT, Jabalpur be restrained from proceeding further in auction proceedings dated 16.01.2026 in RC No.01/2025.

2. Per contra, counsel for the respondent vehemently opposed the petition and submitted that the present petition is filed by a borrower and he misused the process of law by filing repeated writ petitions. He argued that the present petition is not maintainable in view of the fact that the petitioner had filed Writ Petition No.1793/2026, which was withdrawn without any liberty to file fresh petition.

3. The petitioner filed Writ Petition No.44052/2025, challenging the notice dated 25.09.2025 issued under the provisions of Securitisation and Reconstruction of

Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred as "SARFAESI Act, 2002"). He further argued that his appeal is pending before the DRT, Jabalpur. However, since the Presiding Officer is not there, the appeal has not been taken up. The said petition was disposed of with liberty to the petitioner to move an application for preponement of the hearing and list the matter before the DRT, Allahabad who was hearing the matters of DRT, Jabalpur. The said petition was disposed of with the direction that if the application for preponement of date of hearing is filed today, the Registrar, DRT, Jabalpur shall consider the said application and shall place the same before the DRT, Allahabad. In case, if the matter could not be taken up by the Presiding Officer, DRT, Allahabad tomorrow, the auction will go on pursuant to the auction notice but the said certificate will not be issued till the matter is taken up by the Presiding Officer, DRT, Jabalpur or by DRT, Allahabad.

4. Thereafter, the matter was taken up by the DRT, Allahabad, where an objection was taken that the DRT having the charge cannot hear the said matter because the Court had directed for hearing of the DRT case only by DRT, Jabalpur or DRT, Allahabad. However, the Presiding Officer, DRT had directed to comply with the provisions of Section 30A of RDDB Act, 1993 and by depositing 50% of the amount due on the date as determined by the Tribunal.

5. Against the order dated 22.12.2025, the petitioner filed a Writ Petition No.50541/2025, which was dismissed as withdrawn without any leave to file any other petition. The petitioner filed another Writ Petition No.1793/2026, in which the counsel for the respondent raised preliminary objection that the petitioner had not mentioned about filing of Writ Petition No.50541/2025 against the order dated 22.12.2025. At that stage, counsel for the petitioner sought leave of the Court for withdrawal and the petition was dismissed as withdrawn.

6. The petitioner again filed a petition i.e. Writ Petition No.50541/2025 and the said petition was withdrawn by the petitioner which was dismissed as withdrawn by order dated 29.12.2025. Thereafter again, this petition has been filed seeking a direction that the Recovery Officer be restrained from proceedings further in the matter till the review petition is heard.

7. After hearing learned counsel for the parties and considering the fact that the petitioner is a borrower and against whom there is an outstanding loan amount of Rs.7 Crores, is filing repeated writ petitions for indulgence under Article 226 of the Constitution of India, we decline to interfere with the petition. Apart from that, the petitioner had filed Writ Petition No.50541/2025, which was withdrawn on 20.12.2025 and without disclosing the said fact, he filed another Writ Petition No.1793/2026, which was also withdrawn by him. The review petition which is being sought to be decided first before the Presiding Officer, DRT, Jabalpur was already filed before passing of the order of withdrawal on 14.01.2026 in Writ Petition No.1793/2026. The said petition was withdrawn without any leave for filing another petition.

8. In view of the aforesaid, we are not inclined to interfere in the writ petition filed under Article 226 of the Constitution of India. This Writ Petition is dismissed.