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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 17125/2025 & CM APPL. 70431/2025

DISHAA GROVERRPetitioner

Through: Mr. Bharat Groverr, Advocate.

versus

UNION BANK OF INDIARespondent

Through: Mr. Adhitya Srinivasan, Mr. Rohan Kochhar, Mr. Rishabh Kanojiya, Mr. Abhishek Yadav and Mr. Srajan Tyagi, Advocates.

Date of Decision: 12th November, 2025

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

J U D G E M E N T

TUSHAR RAO GEDELA, J: (ORAL)

1. Present Public Interest Litigation has been filed under Article 226 of the Constitution of India seeking a direction to the respondent bank to forthwith take all necessary steps as per law, including but not limited to, withdrawing illegal settlement/OTS taken place with the borrower and to issue a fresh sale notice/proclamation of sale under Rule 9(1) of the Security Interest (Enforcement) Rules, 2002, viz., subject property.

2. Grievance of the petitioner is against the revocation/withdrawal of the sale notice dated 09.09.2025 for the subject property i.e., D-99, Ground Floor, Mansarover Garden, New Delhi- 110015, by the respondent bank. It is admitted



in the pleadings that the petitioner was a prospective auction purchaser for the subject property for which the auction was scheduled to take place on 26.09.2025 however, the respondent bank accepted the OTS proposed by the borrower and withdrew the auction of the subject property. Aggrieved by this, the petitioner had sent a legal notice dated 23.09.2025 to the respondent bank, relevant portions of which read thus:-

“ ...

1. *That perusal of sale notice dated 09.09.2025 issued and marked to noticee no. 1 for property mentioned at item 13, bearing address of the secured asset as 'D-99, Ground Floor, Mansarovar Garden, New Delhi- 110015' (hereinafter referred to as the 'secured asset') for auction scheduled to be taken place on 26.09.2025 was made public to which our client showed inclination for purchasing the said secured asset. (The said sale notice has been annexed herewith and marked as 'Annexure C/1.')*

2. *That the facts which give rise to the present notice have been articulated in the present para in chain of events sequel for ready reference of the appropriate noticee.*

A. *That after issuance of the said sale notice, i.e., proclamation of sale, an attempt was made for perusal of the title documents on 12.09.2025 of the secured asset, however the access of the same was denied by the branch of the noticee no. 1 without assigning any reasons.*

B. *That since noticee no. 1 was a scheduled bank and encumbrance by such a nationalised bank cannot be done if the title is not clear, so our client made a call to participate in the auction without vetting the title documents.*

C. *That going forward in the manifestation of participation in the auction for the secured asset which was scheduled to take place on 26.09.2025, the auction of secured asset was made public at the website of noticee no. 1 on 17.09.2025 at <unionbankofindia.co.in> wherein property id for the secured asset was created as 'UBINDELARB8159.'*

D. *That until 17.09.2025 though the secured interest's auction was made public at the website of noticee no. 1 (Copy of the screenshot annexed herewith and marked as 'Annexure C/2'), however the same was not made public at noticee no. 2's platform, which perhaps happens to be a common and transparent platform for many nationalised banks auctions, to which our client was of the*



view that, since there is almost a week's time in the auction, the same would be made public within a short span of time.

E. However the cause of action arose for the first time on 22.09.2025, which was the first day of the week on which auction of the secured asset was scheduled to take place, on which instead of the auction tab being created at the portal of noticee no. 2, the same was vanished from the portal of noticee no. 1 also, which was visible on 17.09.2025 filled our client with grief, sorrow and agony, since the mandate of law has been made more than conspicuous by the Hon'ble Supreme Court in the recent pronouncement of the matter of Celir LLP v. Bafna Motors (Mumbai) (P) Ltd., (2024) 2 SCC 1 wherein under para 110.3 which has been reproduced hereunder for convenience..."

[emphasis supplied]

3. Despite admittedly holding personal interest in the subject matter of the present petition, the same has been filed in the nature of PIL. It is also pertinent to reproduce hereunder the affidavit filed by the petitioner before this Court, in accordance with Notification No.451/Rules/DHC dated 25.11.2010:-

"4. That I the petitioner above named, have no personal interest in the litigation and neither myself nor anybody in whom I am interested would in any manner benefit from the relief sought in the present litigation save as a member of the general public. This petition is not guided by self-gain or gain of any person, institution, body and there is no motive other than of public interest in filing this petition."

[emphasis supplied]

4. In alignment with the aforesaid legal notice dated 23.09.2025 and the affidavit filed in support of the present purported PIL, it may be relevant to appreciate the prayers sought, seemingly innocuous but betrays the intention of the petitioner. The same read thus:-

"a) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondent bank to forthwith take all necessary steps as per law, including but not limited to, withdrawing illegal settlement/ OTS taken place with the borrower viz., subject property; and/ or

b) Issue a writ of mandamus or any other appropriate writ, order or direction, directing the respondent bank to forthwith take all necessary steps as per law,



including but not limited to, issuance of fresh sale notice/ proclamation of sale under Rule 9(1) of the 2002 rules, viz., subject property within a specific time frame; and/ or

c) Direct the respondent bank to file a detailed status report before this hon'ble court within a specific time frame, outlining why did they resort to such illegal act in the first place, and that why shouldn't they settlements not be reviewed; and/ or

d) Pass any other order as this hon'ble court may deem fit an appropriate under such circumstances."

5. It is apparent from the legal notice dated 23.09.2025 that the petitioner admitted to being an intending purchaser of the secured asset which was the subject matter of the proposed auction, which was withdrawn by the respondent bank. In spite of having clear personal interest in the subject matter, in defiance and violation of the PIL Rules as also the affidavit filed in support of the PIL as per the Rules of 2010, the petitioner claimed to have no personal interest in the litigation as also that she would not in any manner benefit from the relief sought. The affidavit also further affirms that the petition is not guided by self-gain, or gain of any person and that there is no motive other than of public interest in filing the petition. As if this was not enough, the prayer as sought betrays the underlying deep personal interest that the petitioner has in the subject matter, while presenting the present petition as a PIL. Nothing can be farther from the truth. We are appalled and aghast at the temerity of the petitioner to have filed the present petition in the guise of a PIL while being deeply and acutely interested personally in the outcome of the present purported PIL. We deprecate such practice.

6. On a query, learned counsel appearing for the petitioner was unable to give any satisfactory response to the aforesaid admitted facts. Of late, this Court has observed a very disturbing trend of unscrupulous and ill advised persons



filing petitions in the guise of public interest but with oblique and personal motives. Those range from personal interests to coercing parties for illegal gains and the petitions like the present one. In order to curb such unethical and immoral practices, we have, in the past, imposed exemplary costs.

7. In the present case too, we had initially proposed imposition of costs to the extent of Rs.1 Lac however, keeping in view the fact that the counsel representing the petitioner is in his early formative years of practice and this petition purportedly being his first such PIL, we are taking a lenient view. Let this order be in the form of a warning and an admonition. Thus, we impose a token cost of Rs.5,000/- only upon the petitioner to be deposited with the Delhi High Court Bar Clerk's Association within two weeks from date. Details of the bank account are as under:-

Account No: 15530100006282

IFSC Code: UCBA0001553

Bank Name: UCO Bank

Branch: Delhi High Court

8. We further direct that in case the cost is not deposited as directed hereinabove, the Registrar General of this Court shall take appropriate steps for recovery of the same, including, if required, by taking recourse to the process of recovery by way of arrears of land revenue.

9. List for compliance before the Registrar on 03.12.2025.

TUSHAR RAO GEDELA, J

DEVENDRA KUMAR UPADHYAYA, CJ

NOVEMBER 12, 2025/rl