

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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Date of Decision:- 07.11.2025

I. CWP-5081-2022

AJIT SINGH ALIAS JEET KUMAR AND ANR

....Petitioner(s)

Versus

INDIAN BANK AND ANOTHER

...Respondent(s)

II. CWP-3963-2024 (O&M)

SUBHASH CHANDER @ SUBHASH SINGH AND ANOTHER

....Petitioner(s)

Versus

INDIAN BANK AND ANOTHER

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Pavan Malik, Advocate for the petitioners

Mr. K.K. Goel, Advocate (through V.C.)
for respondent-Bank.

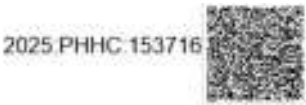
Mr. Viren Sibal, Advocate,
Mr. Harshit Singla, Advocate
for the respondent No.3 in CWP-3963-2024.

Mr. Karan Gaba, Advocate
for the applicant in CM-16121-CWP-2025 in CWP-3963-2024.

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SHEEL NAGU, C.J. (Oral)

1. After hearing learned counsel for the rival parties at a considerable length, it appears that lot many disputed questions of facts are involved, especially with regard to service of notice under the recourses taken by the respondent-Bank for auctioning out the secured asset for recovery of the outstanding loan amount. Therefore, this Court exercising writ jurisdiction, opts not to enter the disputed questions of fact and deems it appropriate to relegate the petitioners to approach the jurisdictional Debt



Recovery Tribunal/Debt Recovery Appellate Tribunal (as the case may be).

2. The petitioners are free to raise all their contentions available to them in law before the said forum.
3. Interim relief granted in the present petitions, shall continue till DRT/DRAT takes fresh decision on the question of interim relief, provided the petitioners approach DRT/DRAT within 30 days, failing which the interim relief shall lose its effect. It is made clear that if petitioners approach the Tribunal within the prescribed stipulated time, then this order shall not prejudice the mind of Tribunal while deciding the question of interim relief, if admissible to the petitioners. We further make it clear that the Tribunal shall decide the request for interim relief strictly on merits of the matter, without being influenced by the fact of petitioners having approached this Court or this Court having passed the present order.
4. Petitions stand disposed of with aforesaid liberty without commenting on merits.
5. Since the main petition itself has been disposed of, no orders are required to be passed in CM-16121-CWP-2025, which accordingly stands disposed of along with all other pending applications, if any.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

07.11.2025
S.Sharma

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |