



(111+202)

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

CWP-5587-2022 (O&M)

Date of decision:- 14.05.2025

Meenakshi

...Petitioner(s)

Versus

Housing Development Finance Corporation Limited
(HDFC Limited) and others.

...Respondent(s)

CORAM: **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**
HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Karan Choudhary, Advocate,
for the petitioner.

Mr. Vaibhav Singh Tara, Advocate,
for respondents No. 1 and 2.

Mr. Munish Gupta, Advocate,
Mr. Paras Kukkar, Advocate,
for respondent No. 3.

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SHEEL NAGU, C.J. (ORAL)

CM-4367-CWP-2025

Leave is granted to place on record copy of certain documents
filed on behalf of respondent No. 3 and the application is allowed.

CWP-5587-2022

1. Learned counsel for the respondents by referring to paragraph 7 at
page 13 of the petition states that the petitioner does not dispute that the Debts
Recovery Tribunal (DRT), Chandigarh was non-functional at the relevant
point of time when the application under Section 17 of the Securitization and
Reconstruction of Financial Assets and Enforcement of Security Interest

(SARFAESI) Act, 2002 raising the same prayer as raised herein was filed by the petitioner and, therefore, the same could not be pressed.

2. It is not disputed at the Bar by learned counsel for the rival parties that the DRT has now become functional and, therefore, the petitioner is free to pursue the remedy which has already been availed by way of filing the application under Section 17 of the SARFAESI Act, 2002 vide E-Diary No. 430/2022 dated 28.02.2022.

3. Since the petitioner has been protected by this Court by an interim order dated 21.03.2022, which continues to subsist till date, this Court directs that the said order restraining dispossession of petitioner from the secured asset in question shall continue till the DRT takes up the application filed under Section 17 of the SARFAESI Act, 2002 for admission as well as interim relief.

4. If the petitioner does not pursue her application under Section 17 before the DRT within next three weeks, the stay extended by this Court shall automatically stand vacated.

5. The petition, accordingly, stands disposed in the terms aforesaid.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

14.05.2025
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No