



CWP-6988-2021 (O&amp;M)

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

**CWP-6988-2021 (O&M)  
Date of decision: 04.11.2025**

RAJ KUMAR

....Petitioner

Versus

THE MANSA CENTRAL CO-OPERATIVE BANK AND ANR

...Respondents

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

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Present: Mr. Akash Khurana, Advocate for  
Mr. Lupil Gupta, Advocate  
for the petitioner.

Mr. Gaurav Goel, Advocate (through VC)  
for the respondent-Bank.

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**SHEEL NAGU, C.J. (Oral)**

1. Learned counsel for the petitioner prays for time to argue the matter.
2. Since there is interim order subsisting during the last four years, we decline the said prayer.
3. Challenge in this petition filed by the borrower is against notice dated 17.02.2021 issued u/s 13(2) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act for brevity).
4. While taking cognizance of this matter and granting interim relief vide order dated 25.03.2021, this Court had kept the question of jurisdiction open, since the principal loan amount involved was Rs.5,00,000/-.
- 4.1. It is obvious from reading of Section 31(h) of SARFAESI Act that



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any amount beyond Rs.1,00,000/- falls within the jurisdiction of the Financial Institution or the Bank under the SARFAESI Act, and therefore, the question of cause raised in this petition being beyond jurisdiction of SARFAESI Act is held to be rejected.

5. It seems that the Financial Institution has not yet taken recourse of any of the coercive steps u/s 13(4) of SARFAESI Act, and therefore, the cause of action has not arisen to the petitioner.

6. Petitioner is always free to avail the remedy under the SARFAESI Act as and when the cause arises. For the time being, the interim order dated 25.03.2021 stands vacated.

7. Petition stands disposed of accordingly.

8. Pending applications, if any, shall stand disposed of accordingly.

**(SHEEL NAGU)**  
**CHIEF JUSTICE**

**(SANJIV BERRY)**  
**JUDGE**

**04.11.2025***mohit goyal*

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No