

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

114+237

**CWP-5876-2024 (O&M)
Date of Decision:- 17.11.2025**

TATA CAPITAL HOUSING FINANCE LTD.

....Petitioner(s)

Versus

DISTRICT MAGISTRATE AND OTHERS

...Respondent(s)

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

Present: Mr. Sourav Thakur, Advocate for
Mr. Sandeep Chopra, Advocate for the petitioner.

Mr. Salil Sabhlok, Sr. DAG Punjab.

Mr. H.S. Jagdev, Advocate
for the applicant in CM-18905-CWP-2024.

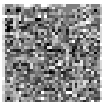
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SHEEL NAGU, C.J. (Oral)

1. The petitioner-financial institution is before this Court seeking execution of an order passed u/s 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act for brevity).

2. It is informed that after passing of the order u/s 14 on 08.11.2023, no further proceedings under the SARFAESI Act were undertaken till the application under Section 94 of the Insolvency and Bankruptcy Code was filed on 09.04.2024 by the guarantor, whereafter the moratorium got set in.

3. In view of above, the competent authority to deal with the issue would be the NCLT. Therefore, this Court disposes of the present petition



with liberty to the petitioner to re-visit the Court in case the cause remains unaddressed.

4. Since the main petition itself has been disposed of, no orders are required to be passed in CM-18905-CWP-2024, which accordingly stands disposed of along with all other pending applications, if any.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

17.11.2025
S.Sharma

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