



126 CWP-5875-2023

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

CWP-5875-2023

Date of decision: 29.10.2025

Kamal Singh and another**....Petitioners.**

Versus

**The Deputy Commissioner-cum-
District Collector, Faridabad and another****....Respondents.**

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

**Present:- Mr. Ritesh Tomar, Advocate,
for the petitioners.**

Mr. Neeraj Gupta, Addl. AG, Haryana.

.....

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Petitioners, who are the borrowers, have filed this petition challenging the impugned order dated 31.01.2023 (Annexure P-5) passed by the District Magistrate, Faridabad, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act').

2. On being enquired from learned counsel for the petitioners as to why alternative statutory remedy has not been availed, there is no satisfactory response.

3. However, learned counsel for the Bank, fairly submits that if the petitioners/borrowers approach the Bank with a fair offer within a period of one month then the same shall be considered at the level of



the competent authority and a considered decision shall be taken in accordance with law. The Bank is expected to pass speaking order, in case the Bank declines the offer made by petitioners/borrowers and the same shall be communicated to the petitioners/borrowers within a week of it's passing.

4. In view of above, this petition stands disposed of with direction to petitioners/borrowers to submit their offer before the Bank within a period of 15 days, failing which the Bank shall be at liberty to proceed to execute the order dated 31.01.2023 (Annexure P-5) passed by the District Magistrate, Faridabad, under Section 14 of the SARFAESI Act, to liquidate the secured asset and recover the remaining part of the outstanding due.

5. Petitioners/borrowers, however, are free to approach the appropriate statutory forum in accordance with law under the SARFAESI Act.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

29.10.2025

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