



CWP-7712-2022

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

CWP-7712-2022

Date of decision: 03.09.2025

M/S BIJAN MOTORS AND ANR.

...PETITIONERS

Versus

UCO BANK AND ANR

...RESPONDENTS

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

Present: Mr. Rohit Suri, Advocate
for the petitioners.

Mr. Munish Mittal, Advocate for respondent No.1-Bank
(through Video Conferencing).

Mr. Salil Sabhlok, Sr. DAG, Punjab.

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SHEEL NAGU, C.J. (Oral)

The petitioners, who are borrowers, have approached this Court challenging notices dated 03.05.2021 (Annexure P-2) and 17.09.2021 (Annexure P-3) issued u/s 13(4) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short SARFAESI Act), and order dated 04.04.2022 (Annexure P-4) on various grounds.

2. Learned counsel for the petitioners, at the very outset, prays for withdrawal of the present petition with liberty to approach the DRT.

3. Accordingly, the petition stands dismissed as withdrawn with aforesaid liberty.



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4. Since there is *status quo* order regarding dispossession granted on 18.04.2022 which is subsisting till date, this Court grants the aforesaid relief with the following observations:

Interim relief, if granted, in the present petition, shall continue till the DRT takes fresh decision on the question of interim relief, provided the petitioner approaches the DRT 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 petitioner. 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 petitioner having approached this Court or this Court having passed the present order.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

03.09.2025

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No