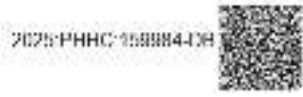


CWP-7798 of 2022 (O&M)



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

**CWP-7798 of 2022(O&M)
Date of decision: 18.11.2025**

MAHESH KUMAR RAI**....Petitioner****V/S****ICICI BANK LTD. AND ORS****... Respondents**

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

Present: Mr. I.S. Ratta, Advocate for the petitioner.

Mr. Samarth Suri, Advocate for

Mr. Sandeep Suri, Advocate for respondent/Bank.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Learned counsel for petitioner/borrower has assailed the notice dated 23.09.2021 (Annexure P-5) issued u/s 13(4) as well as order dated 19.07.2022 (Annexure P-8) issued u/s 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act'), which is one of the recourses adopted by the bank.

1.1 Learned counsel for petitioner prays for withdrawal for writ petition, with a liberty to approach the Debts Recovery Tribunal u/s 17 of the SARFAESI Act.

2. Interim relief 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 petitioner approaches 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



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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.

- 3. With the aforesaid liberty, instant petition stands dismissed as withdrawn.
- 4. All pending Civil Miscellaneous application(s), if any, also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

18.11.2025
Kamal Gandhi

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