



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

120

CWP-9983-2025**Date of Decision:- 07.08.2025**

SMT KAUSHLYA DEVI

...Petitioner(s)

Versus

DCB BANK LIMITED AND OTHERS

...Respondent(s)

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

Present: Mr. Azad Khan, Advocate for the petitioner.

Mr. A.D.S. Sukhija, Advocate for respondents.

* * * *

SHEEL NAGU, C.J. (Oral)

1. This petition has been filed assailing the recourse taken by the respondent-Bank pursuant to the notices under Section 13(4) of the SARFAESI Act. Though, learned counsel for the Bank fairly submits that the Bank has not yet applied before the concerned Magistrate under Section 14 of the SARFAESI Act.

2. Learned counsel for the petitioner submits that the loan account was insured by HDFC Life.

3. Learned counsel for the respondent-Bank does not dispute that the loan account was insured by HDFC Life and the relevant documents for enabling the petitioner to put up his claim before the Insurance Company has been released by the respondent-Bank. The parties also do not dispute that the claim before the Insurance Company is under process.



4. Learned counsel for the Bank on instruction from Sh. Manpreet Singh, Legal Manager, has fairly submitted that till the Insurance Company is processing the insurance claim of the petitioner, they would not take any coercive steps against the petitioner.

5. In view of above, this Court declines to proceed with this matter and leaves it to the petitioner to process the insurance claim before the Insurance Company.

6. However, liberty is given to the Bank that in case the Insurance Company fails to process the claim or rejects the claim within a reasonable period of time, the Bank is free to proceed to take coercive steps under Section 13(4) of the SARFASI Act.

7. Disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

07.08.2025

S.Sharma

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