



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

**CWP-12994-2023
Date of decision: 27.10.2025**

Reena and another

....Petitioners.

Versus

CAN FIN Home Limited and another

...Respondents.

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

Present:- Mr. Abhinav Aggarwal, Advocate and
Mr. Rishab Aggarwal, Advocate,
for the petitioners.

Mr. Abhinav Bali, Advocate,
for the respondents (through Video Conferencing).

.....

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioners-borrowers are before this Court assailing impugned notice dated 31.01.2022 issued u/s 13 (2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act') (Annexure P-3) and recourses taken by the respondent/Financial Institution u/s 13(4) of the SARFAESI Act, vide impugned notice dated 10.11.2022 (Annexure P-4), respectively.

2. Learned counsel for the petitioners is unable to satisfy this court as to what are the special circumstances, wherein, writ jurisdiction can be invoked despite availability of alternative statutory remedy u/s 17 of the SARFAESI Act.



3 In view of above, petitioners/borrowers are relegated to avail the appropriate statutory remedy under the SARFAESI Act before the DRT and thereafter before DRAT. In case the petitioners prefer an application under Section 17 of SARFAESI Act within a period of 30 days from today along with copy of this order, the same shall be considered and decided on its own merits, without being dismissed on limitation alone.

4. Accordingly, the writ petition stands disposed of with aforesaid liberty without commenting on merits, without cost.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

27.10.2025

preeti

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