



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

CWP-17143-2025 (O&M)

Date of decision: 26th November, 2025

Swati Mittal

... Petitioner

Versus

State of Punjab & others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Ms. R.K. Grewal, Advocate for the petitioner.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab
for the respondent/State.

Mr. Abhijeet Chaudhary, Advocate for respondents No.4, 5 & 6.

Mr. Abhinav Sood & Mr. Nitesh Jhahria, Advocate
for respondent No.7.

SHEEL NAGU, CHIEF JUSTICE (ORAL)

CM-17504-CWP-2025

In view of the averments made in the application, which is supported by duly sworn affidavit of the applicant, and in the interest of justice, the same is allowed and the date of hearing is preponed for today.

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1. The petitioner, who alleges herself to be a subsequent purchaser, seeks direction to respondent No.3/Tehsildar, Rajpura, not to take possession of the property in question.

2. The pleaded facts indicate that the mortgage deed was executed between the borrower and the Financial Institution, and the petitioner

purchased the secured asset in the year 2017. However, in order to avoid any prejudice being caused to the proceedings before the Debts Recovery Tribunal (DRT), the petitioner is being relegated to avail the statutory remedy. This Court, therefore, refrains from making any observations on the merits. The petitioner shall be at liberty to approach the DRT.

3. Since the petitioner does not fall within the definition of "*specially aggrieved person*", the appropriate remedy available is to approach the Debts Recovery Tribunal u/s 17 of the SARFAESI Act and thereafter Debts Recovery Appellate Tribunal u/s 18 of the SARFAESI Act.

4. With the aforesaid liberty, instant petition stands disposed of, accordingly.

(SHEEL NAGU)
CHIEF JUSTICE

(YASHVIR SINGH RATHOR)
JUDGE

November 26, 2025

rps

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