IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

119 **CWP-18681-2025 (O&M)**
Date of decision : 09.07.2025

Rajinder Singh

... Petitioner

Versus

Punjab National Bank Housing Finance Limited

.. Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present:- Mr. K.K. Goel, Advocate and
Mr. Ankush Bharti, Advocate for the petitioner.

***

Anupinder Singh Grewal, J. (Oral)

Learned counsel for the petitioner submits that the petitioner had taken a housing loan for a sum of Rs.20,49,784/- in the year 2016 by mortgaging his sole residential house. Thereafter, the petitioner and his family members faced financial difficulty and could not pay some of the installments within the stipulated period. He submits that the respondents have taken possession of his residential house along with the household articles lying in the house including the study material of his minor children. The said house has been sealed by the respondent-Bank. He further submits that the petitioner would pay a sum of Rs.5 lacs within a period of one week and the remaining outstanding amount within a period of three months from now.

2. Issue notice to the respondent.

3. At the asking of the Court, Mr. Nitin Thatai, Advocate has appeared through video-conferencing and accepts notice on behalf of the

respondent-Bank. Upon instructions from Mr. Prateek Sapra, Manager (Legal) submits that the outstanding amount till date is Rs.23,50,000/- and in the event of the petitioner paying the same along with simple interest @ 10% thereon within a period of three months, the possession of the house would be restored to the petitioner.

4. In view of the above, we deem it appropriate to direct that in the event of the petitioner paying a sum of Rs.5 lacs within a period of one week, the household articles would be handed over to the petitioner and in the event of his paying the remaining amount within a period of three months, the physical possession of the house would be restored to the petitioner forthwith on receipt of the payment.

5. It is however, clarified that if the petitioner defaults in making the payment as per the afore-noted schedule, the respondent-Bank would be at liberty to pursue the action under the SARFAESI Act. It is further clarified that we are not expressing any opinion on the merits of the matter. This order shall have no bearing on adjudication by the competent Court/Tribunal.

6. The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

09.07.2025
sapna

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