



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

107

CWP-19065-2025 (O&M)
Date of Decision:- 11.07.2025

ANIL KUMAR

....Petitioner(s)

Versus

HDFC BANK AND ANOTHER

...Respondent(s)

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

Present: Mr. Deepak Arora, Advocate for the petitioner.

* * * *

SHEEL NAGU, C.J. (Oral)

1. This petition has been filed by the petitioner-borrower, who had taken financial assistance from respondent-Bank, challenging the action taken by the Bank under Section 13(2) of the SARFAESI Act.
2. The Apex Court, time and again has come down heavily on the High Courts exercising the power of judicial review in the matters relating to SARFAESI Act, especially where alternative statutory remedy of approaching the DRT or DRAT is available. [see *Phoenix Arc Private Limited Vs. Vishwa Bharati Vidya Mandir and others*, (2022) 5 SCC 345; *G. Vikram Kumar Vs. State Bank of Hyderabad and others*, (2023) 14 SCC 159].
3. Since there is a statutory alternative remedy of approaching the Debt Recovery Tribunal under Section 17 of the SARFAESI Act against any of the coercive means adopted under Section 13(2) of the SARFAESI Act by



the Bank, the petitioner is free to approach the jurisdictional Debt Recovery Tribunal.

- 4. This Court declines to interfere on merits.
- 5. With aforesaid liberty, the present petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

11.07.2025

S.Sharma

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