



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

CWP-19298-2025

Date of decision : 14.07.2025

Mahender Pal

.....Petitioner

Versus

HDFC Bank Ltd. and others

.....Respondents

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

Present: Mr. Dilpreet Singh Gandhi, Advocate,
for the petitioner.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner, who is a guarantor in a loan transaction between respondent Bank and respondents No.3 to 6, has challenged the order dated 27.07.2021 (Annexure P-3) passed by Debts Recovery Tribunal – II, Chandigarh, vide which the recovery certificate was ordered to be issued and the parties were directed to appear before the Recovery Officer on 28.09.2021.

2. Learned counsel for the petitioner disputes the outstanding loan amount, by submitting that the loan obtained by the borrower from the respondent bank had been repaid in full and yet the impugned order has been passed.

3. This Court is afraid that to adjudicate the aforesaid dispute, this Court will have to enter into the realm of disputed questions of fact, which ought not to be done while exercising writ jurisdiction, especially when the



petitioner has remedy to approach Debts Recovery Appellate Tribunal (DRAT).

4. In view of above, this Court declines interference and relegates the petitioner to avail the remedy before DRAT after placing all the material before the appellate forum for condonation of delay, in regard to which the DRAT is free to pass appropriate order and thereafter take up the issue on admission, if delay is condoned.

5. Accordingly, the petition stands disposed of with aforesaid liberty.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

July 14, 2025
narotam

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