



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

125

CWP-19659-2025.

Date of Decision: 16.07.2025.

Kotak Mahindra Bank Ltd.

....Petitioner.

VERSUS

Deputy Commissioner-cum-District Magistrate, Patiala and others

....Respondents.

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

Present: Mr. Nitin Ahluwalia, Advocate for the petitioner.

ANUPINDER SINGH GREWAL, J. (Oral)

Learned counsel for the petitioner submits that petitioner is the secured creditor and the physical possession of the secured asset had been handed over to them in terms of the order dated 17.01.2022 (Annexure P-5) passed by the District Magistrate, Patiala, under Section 14 of the SARFAESI Act. However, later respondents No.3 and 4 had trespassed into the property and forcibly regained possession. The petitioner had filed complaint in this regard and FIR No.9 dated 07.05.2024 (Annexure P-9) has been registered at Police Station City Rajpura. The petitioner has sent representation dated 14.02.2025 (Annexure P-12) in this regard to respondent No.1 and he be directed to take appropriate action on the said representation.

2. Issue notice to respondents No.1 and 2 only at this stage.

3. At the asking of the Court, Mr. Aftab Singh Khara, Senior Deputy Advocate General, Punjab, accepts notice on behalf of respondents No.1 and 2.

4. Heard.

5. In view of the limited prayer, this petition is disposed of with a direction to respondent No.1 to decide the representation dated 14.02.2025 (Annexure P-12) preferred by the petitioner and take steps, if necessary, in accordance with law within a period of one month from the date of receipt of certified copy of this order, including restoration of the possession of the petitioner.

6. It is 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

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

16.07.2025

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No