



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

131

CWP-20949-2025 (O&M)
DATE OF DECISION : 24th July, 2025

Paramhans and another

.... Petitioner

Versus

**Religare Housing Development Finance
Corporation and others**

.... Respondents

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

* * *

Present : Mr.Yogender Nain, Advocate
for the petitioner.

Mr.Deepak Balyan, Additional
Advocate General, Haryana.

* * *

SHEEL NAGU, CJ. (Oral)

1. The petitioners, who are borrowers/guarantors have approached this Court challenging the notice dated 17.02.2025 (Annexure P-1) issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, on various grounds.
2. The Apex Court has come down very heavily on High Courts which interfere in SARFAESI Act matters under Article 226 of the Constitution, since the 2002 Act is a complete Code providing not



only detailed procedure for recovery, but also remedy before Debt Recovery Tribunal and Debt Recovery Appellate Tribunal.

3. From the averments of the petition, it does not appear that the petitioners have availed the statutory remedy of approaching DRT and/or DRAT.

4. This Court declines interference on merits in view of the decision of the Apex Court in **United Bank of India vs. Satyawati Tondon, 2010 AIR SC 3413 (para 17, 27); Phoenix Arc Private Limited vs. Vishwa Bharati Vidya Mandir and others, (2022) 5 SCC 345 (para 10, 21); PHR Invent Educational Society vs. UCO Bank and others, (2024) 6 SCC 579 (para 22 to 41)**, and relegates the petitioners to avail the statutory remedy of approaching the Debt Recovery Tribunal or Debt Recovery Appellate Tribunal, as the case may be.

5. In view of the above, the petition stands disposed of accordingly.

(SHEEL NAGU)
CHIEF JUSTICE

24th July, 2025
‘gian’

(SANJIV BERRY)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>