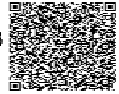


2025:PHHC:120689-DB



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

CWP-24197-2022 (O&M)
Date of decision : 04.09.2025

Chander Mohan Dawar and others

.....Petitioners

Versus

SBFC Finance Pvt. Ltd. (Erstwhile Small Business FinCredit
India Pvt. Ltd.)

.....Respondents

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

Present: Mr. Rohit Suri, Advocate,
for the petitioners.

Mr. Ravi Chadda, Advocate,
and Mr. Rohit Duggal, Advocate,
for the respondents.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioners/borrowers are before this Court assailing the recourses taken under Section 13 (4), including Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short SARFAESI Act), on various grounds.

2. Learned counsel for the respondent-financial institution has disclosed that the petitioners/borrowers had filed SA No.112 of 2022 on 28.06.2022 against the notice under Section 13 (4) of the SARFAESI Act, before DRT-III, Chandigarh,

while this petition was filed as late as on 18.10.2022 without disclosing the aforesaid fact.

3. In an equity jurisdiction under Article 226 of the Constitution of India, one expects the petitioners to come with clean hands without any suppression of material facts.

4. Factum of SA No.112 of 2022 ought to have been disclosed by the petitioners. Having failed to do so, the present petition stands dismissed with exemplary costs of Rs.10,000/- to be deposited in the Punjab State Legal Services Authority- Disaster Relief Fund, Account No.44426937384, IFSC Code- SBIN0014656, State Bank of India, Sector 68, SAS Nagar, within seven days.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

September 04, 2025
Ajay Prasher

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