



CWP-22129-2025

-1-

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

105

CWP-22129-2025

Date of decision: 02.08.2025

MRS DAVINDER KAUR AND ANR.

..PETITIONER(S)

Versus

AAVAS FINANCIER LTD. & ORS.

..RESPONDENT(S)

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

Present: Ms. Ashu Rana, Advocate
Ms. Nisha Rana, Advocate
Ms. Priyanka Sharma, Advocate
Ms. Priya Sahoo, Advocate
for the petitioner(s).

Mr. Deepak Balyan, AAG, Haryana.

* * * *

SHEEL NAGU, C.J. (Oral)

1. The petitioners-borrowers are assailing the notice issued under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*for short* 'SARFAESI Act'). The aforesaid notice under Section 13(4) of the SARFAESI Act has also been challenged by the petitioners-borrowers before the Debts Recovery Tribunal-II, Chandigarh by filing SA 469/2024 titled as *Mrs Davinder Kaur and Others v. M/s Aavas Financier Ltd*, which according to the learned counsel



CWP-22129-2025 -2-

for the petitioners-borrowers is pending consideration before the DRT-II, Chandigarh.

2. Once having availed statutory remedy under the SARFAESI Act, the petitioners-borrowers should pursue the said remedy. There is no reason or occasion to file this petition.

3. Accordingly, this petition, without commenting upon merits, is disposed of with liberty to pursue SA 469/2025 pending before the DRT-II, Chandigarh.

4. All the pending miscellaneous applications, if any, are also disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

AUGUST 02nd, 2025
R. Joshi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>