



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

219

CWP-26670-2021

Date of Decision:- 15.10.2025

JYOTI KAPOOR

...Petitioner(s)

Versus

CANARA BANK AND ANOTHER

...Respondent(s)

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

Present: None for the petitioner.

* * * *

SHEEL NAGU, C.J. (Oral)

1. No one has appeared on behalf of the petitioner.
2. Even on 24.01.2024, when the case was called for hearing, no one had put in appearance on behalf of the petitioner.
3. Though we could have dismissed this petition for want of prosecution, but considering the challenge made, this Court relegates the petitioner to approach the DRT to avail the statutory remedy under the relevant provisions, against the notice issued under Section 13(4) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
4. In case the petitioner prefers an application under Section 17 of SARFAESI Act within a period of 30 days from today along with copy of this order, the same shall be considered and decided on its own merits, without being dismissed on limitation alone.
5. Interim relief granted in the present petition, shall continue till



DRT takes fresh decision on the question of interim relief, provided the petitioner approaches DRT within 30 days, failing which the interim relief shall lose its effect. It is made clear that if petitioner approaches the Tribunal within the prescribed stipulated time, then this order shall not prejudice the mind of Tribunal while deciding the question of interim relief, if admissible to the petitioner. We further make it clear that the Tribunal shall decide the request for interim relief strictly on merits of the matter, without being influenced by the fact of petitioner having approached this Court or this Court having passed the present order.

6. Accordingly, the writ petition stands disposed of with aforesaid liberty without commenting on merits, without cost.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

15.10.2025
S.Sharma

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |