



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

111

CWP-22254-2025**Date of decision: 04.08.2025**

PUNJAB NATIONAL BANK

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present: Mr. Kanwar Harbir Singh Bath, Advocate
for the petitioner.

Mr. Vipin Pal Yadav, Addl. A.G., Punjab.

SHEEL NAGU, C.J. (Oral)

1. The petitioner-bank is before this Court invoking writ as well as supervisory jurisdiction under Article 226/227 of the Constitution of India being aggrieved by the inaction on the part of the District Magistrate, Pathankot to decide the application submitted by the petitioner under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short the SARFAESI Act) which is pending since 24.03.2025.

2. It is stated in the application that the respondent-borrowers availed 'Housing Loan' loan facility of Rs.29,96,441.75 and 'ODHL' loan facility of Rs.25,42,206.53 from the applicant bank, and upon default in repayment, the account was classified as Non-Performing Asset (NPA) whereafter demand notice dated 18.12.2024 (Annexure P-1) under Section 13(2) of the SARFAESI Act was duly served upon the borrowers, calling upon them to discharge their liability within sixty days.

3. The borrowers failed to comply with the said demand notice, and accordingly, the secured creditor proceeded to take measures under Section 13(4), of



the SARFAESI Act by issuing possession notice dated 01.03.2025 (Annexure P-2) and subsequently filed the present application dated 24.03.2025 (Annexure P-3) under Section 14, seeking assistance for taking possession of the secured asset.

4. As per the learned counsel for the petitioner, the said application under Section 14 of the Act had been preferred by the Bank before respondent No.2 - District Magistrate, Pathankot.

5. This Court is of the view that in the absence of any legal impediment or stay from any lawful Authority, upon satisfaction of the conditions stipulated under Section 14(1) of the Act, if the application is found to be permissible and in order, necessary action upon such application should be taken promptly.

6. Learned State counsel has put in appearance on behalf of respondents No.1 and 2 and has stated that application in question shall be considered and disposed of by the appropriate Authority in accordance with law within 30 weeks.

7. Accordingly, the present petition is hereby disposed of with a direction to the respondent No.2 to consider and dispose of the application under Section 14 of the Act moved by the petitioner dated 24.03.2025 (Annexure P-3) expeditiously, preferably within a period of Thirty Days from the date of receipt of the copy of order.

8. The aforesaid direction shall remain subject to the fact that there is no other impediment or restraint order from any lawful Authority in this regard.

(SHEEL NAGU)
CHIEF JUSTICE

(YASHVIR SINGH RATHOR)
JUDGE

04.08.2025

mohit goyal

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No