



CWP-25660-2025 (O&M)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

114

CWP-25660-2025 (O&M)

Date of Decision : 01.09.2025

M/s Mayur Engineering and another

... Petitioners

Versus

Authorized Officer, Central Bank of India

... Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANDEEP MOUDGILPresent: Mr. Akhilesh Vyas, Advocate
for the petitioners.Mr. Saurav Goel, Advocate (through VC)
for the respondent-Bank.

SHEEL NAGU, CHIEF JUSTICE (ORAL)

1. The petitioners being borrowers have approached this Court against the recourse taken by the Bank under Section 13(4) of SARFAESI Act, 2002 of issuing auction notice for liquidating the secured assets to recover the outstanding loan.

2. It is not disputed by learned counsel for the petitioners that on 06.01.2024 *SA/612/2024* titled as *Manju Aggarwal vs. Central Bank of India* was filed by the petitioners borrower before the Debts Recovery Tribunal -2, Chandigarh against the recourses taken under Section 13(4) of SARFAESI Act. However, the said SA/612/2024 was dismissed for want of prosecution on 05.08.2025 (Annexure P-4). Thereafter the petitioners did not take any remedial steps either to recall the said order or approach the



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DRAT.

3. In this view of the matter, this Court in plenary and discretionary powers under Article 226 of the Constitution of India cannot help a sleeping and inactive litigant.

4. The petition stands dismissed with liberty to the petitioners to approach the Debts Recovery Tribunal or DRAT.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANDEEP MOUDGIL)
JUDGE**

01.09.2025

Satyawan

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No