



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

**CWP-25102 of 2025
Date of decision: 28.08.2025**

PUNJAB AND SIND BANK

....Petitioner

V/S

DEBTS RECOVERY TRIBUNAL-III, CHANDIGARH AND OTHERS.

... Respondents

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

**Present:- Mr. Anant Bir Singh Sidhu, Advocate
for the petitioner (through V.C.)**

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. Learned counsel for the petitioner-Bank challenges the order dated 12.08.2025 (Annexure P-13) passed by the Debts Recovery Tribunal-III, Chandigarh, contending that the petitioner has a very good case on merits, by pointing out to certain grounds, which reveals that the DRT-III, Chandigarh, has travelled beyond its jurisdictional purview.
2. Be that as it may, even if the petitioner has a very good case on merits, that alone, cannot be a good ground for the petitioner to invoke the power of judicial review under Article 226 of the Constitution.
3. We realise that if an order passed by any Tribunal is bereft of jurisdiction, then the power of judicial review can be exercised.
4. However, there are large number of disputed questions of fact, which will have to be gone into for adjudicating the dispute in question, which ought not to be done while exercising the powers of judicial review. It would,



CWP-25102 of 2025

therefore, be appropriate for the petitioner-Bank to avail the remedy before the Appellate Forum, namely, the Debts Recovery Appellate Tribunal.

5. The Apex Court has consistently held that High Courts should refrain from interfering under Article 226 of the Constitution in SARFAESI proceedings. The SARFAESI Act, 2002 is a complete code which not only provides for a detailed recovery mechanism but also remedies before the Debts Recovery Tribunal (DRT) and thereafter, Debts Recovery Appellate Tribunal (DRAT).

4. In view of the above, liberty is granted to the petitioner to approach the DRAT. Accordingly, the present petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

28.08.2025

Kamal Gandhi

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