



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

129

CR-6186-2025

Date of Decision: 08.09.2025

Vastu Housing Finance Corporation Limited and Anr.

....Petitioners

VERSUS

Tejinder Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL

Present: Mr. Lakshay Jindal, Advocate, for the petitioners.

AMARINDER SINGH GREWAL, J. (ORAL)

1. The present revision petition has been instituted under Article 227 of the Constitution of India, for issuance of direction to the learned Civil Judge (Junior Division), Yamuna Nagar, to decide the application dated 22.05.2025 filed under Order VII Rule 11 CPC by the petitioners in Civil Suit No.CS/90/2025 as expeditiously as possible and within a time bound manner.

2. Learned counsel for the petitioner submits that the respondents had availed a loan facility from the petitioners-Bank, and to secure the said loan, the suit property was mortgaged in favour of the petitioners. The loan account was classified as Non-Performing Asset (NPA) on 10.11.2023, following which a notice under Section 13(2) of the SARFAESI Act was issued on 20.11.2023, and subsequently, a notice under Section 13(4) dated 21.03.2024 was also issued. Thereafter, physical possession of the mortgaged property was taken over by the petitioners-Bank. Subsequently, the respondents filed a civil suit seeking a declaration, and obtained a stay order in their favour. In response, the



petitioners filed an application under Order VII Rule 11 CPC seeking rejection of the plaint on the ground that the jurisdiction of the Civil Court is barred by virtue of Section 34 of the SARFAESI Act, 2002. The grievance of the petitioner is that, after obtaining the stay order, the respondents are unnecessarily prolonging the matter, as is evident from the orders dated 20.09.2024, 20.11.2024, and 17.02.2025. The petitioners pray for expeditious disposal of the application under Order VII Rule 11 CPC filed in Civil Suit No. CS/90/2025.

3. In view of the order proposed to be passed, notice is not being issued to respondent as it would delay the proceedings besides entailing additional expenses to the respondents.

4. I have heard learned counsel for the petitioner and have gone through the paper book.

5. Considering the aforesaid facts, without expressing any opinion on the merits of the case, the present petition is disposed of and learned Civil Judge (Junior Division), Yamuna Nagar, is directed to decide application under Order VII Rule 11 CPC filed in Civil Suit No. CS/90/2025 as expeditiously as possible.

(AMARINDER SINGH GREWAL)
JUDGE

08.09.2025
anil

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No