

2025.PHHC:168310-DB



CWP-29681 of 2025

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

CWP-29681 of 2025

Date of decision: 01.12.2025

PUSHPINDER PAL SINGH AND ANOTHER**....Petitioners****V/S****STATE OF PUNJAB & OTHERS.****... Respondents**

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

Present: Ms. Aakriti Mittal, Advocate for the petitioners.

Mr. Nakul Sharma, Advocate
for respondents no. 2 and 3/Financial Institution.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present petition has been filed by the petitioners/co-borrowers, namely Pushpinder Pal Singh, who are the legal heirs of deceased Paramjit Kaur. The said Paramjit Kaur had taken loan from respondents no. 2 and 3. Due to default committed by the borrower, the loan account was declared as Non-Performing Asset (NPA), whereafter proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, "the SARFAESI Act") were initiated by issuance of notice dated 26.03.2024 u/s 13(2) (Annexure P-3) and notice dated 28.06.2024 u/s 13(4) (Annexure P-5). Subsequently, an order dated 13.08.2024 (Annexure P-6) u/s 14 of the SARFAESI Act was also passed by the Additional District Magistrate, Patiala.

2. All the aforementioned proceedings have been challenged by the petitioners in S.A. No. 375 of 2024 before the Debts Recovery Tribunal-III, Chandigarh (for short, "DRT-III, Chandigarh"). The prayer for interim relief in

2025.PHHC:168310-DB



CWP-29681 of 2025

the said S.A. was declined, leading the petitioners approaching this Court by this civil writ petition, seeking quashment of the order dated 23.09.2025 (Annexure P-12) passed by DRT-III, Chandigarh.

3. This Court, on 30.09.2025, while taking cognizance of the matter, protected the petitioners by restraining respondents no. 2 and 3—Financial Institution from taking possession of the secured asset till the next date of hearing, i.e., 16.10.2025.

4. On 16.10.2025, a prayer for adjournment was made on the ground that the counsel for the petitioners was unwell. Thereafter, the matter is listed today i.e. 01.12.2025. It is informed by learned counsel for rival parties that S.A. No. 375 of 2024 is listed today for final arguments before DRT-III, Chandigarh.

5. In view of the above, it would not be appropriate for this Court to continue with the present petition. Accordingly, present petition is disposed of with a direction that the interim relief granted to the petitioners, by this Court on 30.09.2025 shall continue till the final decision of S.A. No. 375 of 2024, subject to the petitioners finally arguing S.A. No. 375 of 2024 latest by 05.12.2025, failing which the interim order dated 30.09.2025 shall stand automatically vacated and the Tribunal shall be at liberty to proceed with and decide S.A. No. 375 of 2024, in accordance with law.

6. With the aforesaid liberty, the present petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

01.12.2025

Kamal Gandhi

KAMAL GANDHI
2025.12.03 10:26
I attest to the accuracy and
integrity of this document

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