



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

234

CWP-32101-2024**Date of Decision:- 15.10.2025**

SUDHA SHARMA AND ANOTHER

...Petitioner(s)

Versus

STATE OF PUNJAB AND OTHERS

...Respondent(s)

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

Present: None for the petitioners.

Mr. Salil Sabhlok, Sr. DAG Punjab.

Mr. Gaurav Goel, Advocate for respondent-Bank.

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SHEEL NAGU, C.J. (Oral)

1. No one has put in appearance on behalf of the petitioner.
2. This petition has been filed by the borrowers assailing the possession notice issued u/s 13(4) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short SARFAESI Act), on various grounds.
3. While taking cognizance of this matter, this Court on 28.11.2024, had restrained the Bank from issuing sale certificate in favour of auction purchaser, subject to petitioners-borrowers paying ₹4.29 lakhs against home loan within a period of 15 days and ₹4.21 lakhs against vehicle loan within a period of one month.
4. It is informed by learned counsel for respondent-Bank that the aforesaid condition, subject to which the interim order was passed on



28.11.2024, has not been complied with.

5. Accordingly, the interim order does not exist to protect the petitioner anymore.

6. However, the petitioners are free to approach the DRT to avail the alternative statutory remedy under the SARFAESI Act.

7 In case the petitioners prefer an application under Section 17 of SARFAESI Act within a period of 30 days from today along with copy of this order, the same shall be considered and decided on its own merits, without being dismissed on limitation alone.

8. Accordingly, the writ petition stands disposed of with aforesaid liberty without commenting on merits, without cost.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

15.10.2025
S.Sharma

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |