



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

109

CWP-33143-2024**Date of Decision:- 19.11.2025**

PARSHU RAM

...Petitioner(s)

Versus

INDIA SHELTER FINANCE AND OTHERS

...Respondent(s)

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

Present: Mr. Vikas Lochab, Advocate for the petitioner.

Ms. Puja Chopra, Sr. Advocate with
Ms. Palak Sharma, Advocate for respondents No.1 and 2.

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SHEEL NAGU, C.J. (Oral)

1. The petitioner, who alleges to be a stranger to the loan transaction, is before this Court challenging the entire proceedings including the recourses taken by the Bank pursuant to the notice issued u/s 14(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act for brevity) till the possession of the secured asset was taken.

2. There is no doubt about the fact that the petitioner has an alternative efficacious remedy of approaching the Debts Recovery Tribunal u/s 17 of the SARFAESI Act, since the petitioner, despite being a stranger to the loan transaction, falls within the category of aggrieved person used in Section 17 of the SARFAESI Act.

3. Accordingly, this Court, without commenting on merits of the case, disposes of this petition with liberty to the petitioner to approach the



jurisdictional Debts Recovery Tribunal.

4. In case the petitioner prefers 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.

5. Interim relief granted in the present petition shall continue till DRT takes fresh decision on the question of interim relief, provided the petitioner approaches DRT within 30 days, failing which the interim relief shall lose its effect. It is made clear that if petitioner approaches the Tribunal within the prescribed stipulated time, then this order shall not prejudice the mind of Tribunal while deciding the question of interim relief, if admissible to the petitioner. We further make it clear that the Tribunal shall decide the request for interim relief strictly on merits of the matter, without being influenced by the fact of petitioner having approached this Court or this Court having passed the present order.

6. Disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

19.11.2025
S.Sharma

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