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

CWP-2453-2026
Date of decision: 18.02.2026

Tek Chand Nagal ….Petitioner.

Versus

State Bank of India and another ....Respondents.

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

Present:- Mr. Shekhar Verma, Advocate, (arguing counsel)
Mr. Rahul Chaddha, Advocate,
for the petitioner.

Mr. Mahesh Dheer, Advocate,
for respondent No. 1-SBI.

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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner/borrower is before this Court assailing the demand notice dated 18.01.2023 (Annexure P-5) issued u/s 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act') and also the proceedings pending before the District Magistrate, Palwal, u/s 14 of the SARFAESI Act.

2. During the pendency of this petition, the District Magistrate, Palwal, passed the order on 27.01.2026 u/s 14 of the SARFAESI Act which has not been challenged by the petitioner herein. Copy of the same is taken on record and marked as Annexure 'A'.

3. Petitioner had been issued a possession notice to vacate the secured asset latest by 07.03.2026.

3. Learned counsel for the petitioner does not dispute that no auction notice has yet been issued. Meaning thereby, the right of redemption available to the petitioner/borrower continues to survive and will survive for a period of one month from the date of issuance of auction notice. Thus, petitioner can still exercise his right of redemption by repaying the outstanding loan amount.

4. There appears to be some dispute about the total outstanding dues and since this Court is exercising its limited and discretionary jurisdiction, this Court would not like to go into the said dispute.

5. The petition stands disposed of with the direction to both the parties to resolve the dispute regarding the total outstanding dues. However, liberty is granted to the petitioner to clear the outstanding dues, so long as the right of redemption subsists before 07.03.2026, failing which the Bank is free to liquidate the asset. We hope and expect that the Bank shall cooperate and furnish to the petitioner the correct and updated statement of the outstanding amount as on date.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

18.02.2026

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