



226-1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-5836-2024 (O&M)

Date of Decision : 22.04.2026

Kailash Ahuja

... Petitioner

Versus

Canara Bank and Ors

... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI

Present : Mr. Mahir Sood, Advocate for the petitioner.

Mr. Gaurav Goel, Advocate for respondent Nos.1 and 2.

ALKA SARIN, J. (Oral)

1. Present writ petition has been filed challenging the order dated 15.02.2024 (Annexure P-1) whereby the appeal preferred by the petitioner under Section 17 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'SARFAESI Act') has been dismissed only on the ground of delay.

2. Learned counsel for the parties are *ad idem* that the issue whether the provisions of Limitation Act, 1963 including Section 5 of the Limitation Act, 1963 for condoning the delay are applicable to applications filed under Section 17(1) of the SARFAESI Act is no longer *res integra* and that the issue stands settled by the Division Bench of this Court in case of **M/s Fair Style Embroidery Works & Anr. vs. Debts Recovery Tribunal-III & Ors. [2025 (4) RCR (Civil) 666]**.

3. In view of the above and without commenting on the merits of the case, the impugned order dated 15.02.2024 (Annexure P-1) passed by the Debt Recovery Tribunal-III, Chandigarh is set aside and the matter is remanded back to the Debt Recovery Tribunal-III, Chandigarh for a decision afresh on the application for condoning the delay in accordance with law.
4. The parties are directed to appear before the Debt Recovery Tribunal-III, Chandigarh on **04.05.2026 at 11.00 am**.
5. Disposed off. Pending applications, if any, also stand disposed off.

**(ALKA SARIN)
JUDGE**

22.04.2026
jk

**(RAMESH CHANDER DIMRI)
JUDGE**

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO