



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

(114)

CWP-6181-2026 (O&M)

Date of decision:- 21.04.2026

M/s Dwarka Poultry Farm and another

... Petitioners

Versus

Bank of India

... Respondent

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- None for the petitioners.

Mr. Gaurav Goel, Advocate, for the respondent-Bank.

SUVIR SEHGAL, J. (ORAL)

1. On 26.02.2026, this Court passed the following order:-

“1. This Court is entertaining the present petition only because the Presiding Officer of Debts Recovery Tribunal-II, Chandigarh, has demitted the office on 13.02.2026.

2. However, Mr. Satya Pal Jain, Additional Solicitor General of India, has informed us of the Notification dated 24.02.2026, assigning additional charge of DRT-II, Chandigarh to DRT-III, Delhi, for a period of six months with effect from 14.02.2026. In order to enable the additional charge to become fully functional, which may take some time, this petition is accordingly entertained.

3. The petitioner/borrowers, in the present petition, have assailed the sale notice dated 22.01.2026 (Annexure P-3) and all other recourses adopted by the bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short ‘SARFAESI Act’). The petitioners have raised the issue of agricultural land being exempted u/s 31 (i) of the SARFAESI Act.

4. Notice of motion for 16.03.2026.

5. Meanwhile, as an interim relief, it is directed that if the petitioners deposit 50% of the outstanding dues (which appears to be approximately Rs.4.5 Crores) within a period of 10 days, then the auction would go on, but the same shall not be finalized and the petitioners shall not be dispossessed from the secured asset.

6. If the petitioners fail to deposit the aforesaid amount within 10 days, then the Bank is at liberty to proceed with the auction in accordance with law.”



2. Mr. Goel, who is representing the bank, points out that the Presiding Officer to the Debt Recovery Tribunal has joined and the tribunal is functioning regularly. He states that the outstanding amount is more than Rs.12 crores, although, petitioners had stated that it is around Rs.4.5 crores. He submits that petitioners have failed to deposit the amount in terms of the interim order passed by this Court. He has further instructions to state that the application for availing the benefit under the OTS Scheme submitted by petitioners already stands rejected and the property has been put to auction twice, which has been purchased by petitioner No.2's son, who failed to deposit the amount after the initial earnest money, which stands forfeited.
3. Petitioners were unrepresented on the previous occasion and similar is the position today.
4. For the reasons put-forth by Mr. Goel, this Court is not inclined to entertain the writ petition, which is dismissed. Liberty is, however, given to petitioners to avail recourse to the remedy available to them in accordance with law.
5. As the main case has been decided, pending applications shall also stand disposed of.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

21.04.2026
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No