2026:PHHC:039346-DB

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

CWP-7694-2026
Date of decision : 13.03.2026

Paramjeet Kaur and another
...Petitioners

Vs.

State Bank of India, Ludhiana
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Karan Bhardwaj, Advocate,
Mr. Pardeep Kumar, Advocate
Mr. Ishaan, Advocates
for the petitioners.

Mr. Gaurav Goel, Advocate
Mr. Samarth Sagar, Advocate,
Mr. Saurav Goyal, Advocate
for the respondent-Bank.

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<u>SUVIR SEHGAL, J.(Oral)</u>

1. Petitioners have approached this Court *inter alia* questioning the valuation of the residential property as well as its auction without allegedly serving any notice upon them.

2. It has been stated that the petitioners are the heirs of Sharanjeet Singh, who had taken a housing loan of Rs.20 lacs by mortgaging a plot measuring 191 sq. yards in Fardikot. Due to default in payment of the installments, the account was declared as Non-Performing Asset (NPA) on 26.07.2021 and proceedings were initiated under the SARFAESI Act, 2002.

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judgment

Sharanjeet Singh filed a writ petition before this Court seeking quashing of the notices issued under Sections 13 (2) and 13 (4) of the SARFAESI Act, 2002. The possession of the property was taken over by the Bank on 24.05.2022 and by order dated 19.12.2022, this Court stayed the sale of the secured asset. Writ petition was disposed of on 13.12.2023 with liberty to the borrower to avail the statutory remedies. Sharanjeet Singh expired on 10.04.2025 and the petitioners who had shifted residence after the possession of the property was taken over, have claimed that they have never been served any notice prior to the auction. It has been contended that the Bank has conducted the valuation of the property and different valuation reports show that as per the value assessed by them, the value of the property has been decreasing.

3. Advance copy of the petition has been served upon the respondent-Bank.

4. Mr. Gaurav Goel, Advocate and Mr. Samarth Sagar, Advocate had put an appearance on behalf of the Bank and had raised the primary objections that the instant writ petition is not maintainable. Attention of the Court has been invited to Section 17 of the SARFAESI Act, 2002 to assert that petitioners have an alternate statutory remedy. Reference has also been made to order dated 13.12.2023 passed by this Court in a writ petition by the borrower, whereby he was relegated to take recourse to the statutory remedy.

5. Having heard counsel for the parties and considering the submissions, this Court is not inclined to interfere in the writ petition. It cannot be disputed that the petitioners had an alternate remedy of challenging the action of the respondent-Bank before the Debt Recovery Tribunal. Petition is dismissed as not maintainable. However, liberty is granted to the petitioners to

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take recourse to the alternate statutory remedy available to them in accordance with law.

(SUVIR SEHGAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

13.03.2026
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No

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