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

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Date of Decision:27.03.2026

INDIAN OVERSEAS BANK

...PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

...RESPONDENTS

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

Present: Mr. Pancham Sharma, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

SUVIR SEHGAL, J.

1. Petitioner-Bank has invoked the extra-ordinary writ jurisdiction of this Court under Articles 226/227 of Constitution of India for issuance of a writ of mandamus to the District Magistrate, Bhiwani, respondent No.2, to decide the application filed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, (for short “the SARFAESI Act”).



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2. Counsel for the petitioner states that an overdraft cash credit limit of Rs.11 lacs was granted to respondents No.3 to 5 upon execution of loan agreement and other documents. Respondent No.3 is stated to have mortgaged immovable property measuring 06 marlas situated in village Palwas Tehsil and District Bhiwani. On failure to deposit the loan installments, counsel states that account was classified as Non-Performing Asset (NPA) and proceedings were initiated under the SARFAESI Act. A demand notice dated 06.12.2021, Annexure P-1, was issued under the SARFAESI Act and when the amount was not deposited, a possession notice under Section 13(4) of the Act, Annexure P-2, was published in the newspapers as well as pasted outside the premises of respondents. As per counsel, an application under Section 14 of the SARFAESI Act was moved on 11.11.2025, Annexure P-3, but has not been decided by the Magistrate concerned.

3. Advance copy of the petition has been served upon the official respondents.

4. On asking of the Court, Mr. Gaurav Bansal, DAG, Haryana, has put in appearance on behalf of respondents No.1 and 2. He does not have any instructions regarding pendency of the application, Annexure P-4.

5. In *IIFL Home Finance Limited Vs. State of Haryana and others (CWP-7214-2026 decided on 11.03.2026)*, a Division Bench of this Court observed that a District Magistrate is under a statutory obligation to act expeditiously and decide an application under Section 14 of the Act



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without entering into adjudicatory issues, limiting the consideration only to the factual assertions contained in the application submitted by the bank.

6. Keeping in view the observations made by a Division Bench of this Court, present petition is disposed of with a direction to respondent No.2 to decide the application, Annexure P-4, under Section 14 of the SARFAESI Act as expeditiously as possible preferably within a period of 30 days from the date of receipt of a copy of this order, unless there is any legal impediment in doing so.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

27.03.2026
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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No