



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

**CWP-9576-2026**

**Date of decision:-22.04.2026**

Anil Kumar and another

...Petitioners

Versus

Mahindra & Mahindra Financial Services Ltd. and others

...Respondents

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

Present :- Mr. Anshuman Chopra, Advocate  
for the petitioners.

Mr. Nitin Thatai, Advocate  
for respondents No.1 and 2.

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**SUVIR SEHGAL, J.(ORAL)**

1. This writ petition has been filed, *inter alia*, for quashing of proceedings initiated by respondents under the SARFAESI Act, 2002.
2. On advance notice, Mr. Nitin Thatai, Advocate has put in appearance on behalf of respondents No.1 and 2 and has placed on record a copy of communication dated 17.04.2026, addressed to the borrower. He submits that possession of the secured asset has been taken over by the respondents on 27.03.2026 and an option has been given to the borrower to get the mortgage redeemed on deposit of the due amount. The above development is taken on record.
3. The instant writ petition is not maintainable in view of the



availability of the alternate remedy under the SARFAESI Act, 2002.  
Accordingly, it is dismissed as not maintainable.

4. Liberty is, however, granted to the petitioners to take  
recourse to the alternate remedy in accordance with law.

(SUVIR SEHGAL)  
JUDGE

22.04.2026  
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(VIKAS SURI)  
JUDGE

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