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

CWP-11889-2022 (O&M)

Date of decision : 16.02.2026

Sukhpal Kaur

…….Petitioner

Versus

Punjab National Bank and another

...….Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Ms. Nisha Rana, Advocate, for
Mr. Gurminder Singh Salana, Advocate,
for the petitioner.

Mr. Gaurav Goel, Advocate (arguing counsel), and
Mr. Teginder Singh, Advocate,
for the respondents.

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<u>SHEEL NAGU, CHIEF JUSTICE</u> (Oral)

1. Petitioner – borrower has assailed notices issued by the respondent Bank u/s 13 (2) as well as u/s 13 (4) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act', for brevity).

2. This petition is pending for the last more than three years.

3. When this Court took cognizance of this matter, following order was passed on 30.05.2022 :

> *"Notice of motion for 13.09.2022.*
>
> *Mr. Gaurav Goel, Advocate, accepts notice on behalf of respondents and seeks time to file reply. May do*

so, on or before the next date of hearing with a copy in advance to the counsel opposite.

Subject to the petitioner paying a sum of Rs. 10 lakh to the respondents within one week from today, no coercive action shall be taken against the petitioner by the respondents. In default of compliance with this order, the same shall stand vacated.

The respondents shall supply to the petitioner copy of their OTS policy, and the petitioner is at liberty to make a request for OTS in terms of the said policy."

4. It is submission of learned counsel for the respondents – Bank that in terms of the aforesaid order dated 30.05.2022, the respondents had supplied copy of their OTS policy to the petitioner, but she did not come forward to make her offer.

5. Learned counsel for the petitioner is unable to repel the statement of learned counsel for the respondents that after depositing a sum of Rs. 10 lakhs in terms of the order dated 30.05.2022, the petitioner – borrower has not made any effort to come forward and settle the loan account with the respondents – Bank.

5.1 During the course of arguments, when learned counsel for the petitioner was asked as to whether the petitioner is ready and willing to deposit a substantial sum (50% or 60% of the outstanding dues, which for the time being are approximately Rs. 50 lakhs), she, after seeking instructions from the petitioner, has shown disinclination.

6. In view of above, we have no option but to relegate the petitioner – borrower to jurisdictional DRT, with condition that in case she deposits substantial sum of 60% of the outstanding dues within next fifteen days, the respondent - Bank shall not proceed against the petitioner. But in case, the

petitioner fails to do so, then the respondent - Bank shall be free to liquidate the secured asset and recover the outstanding dues. The petitioner is free to raise all possible contentions before DRT, subject to the aforesaid.

7. Accordingly, the petition stands disposed of.

8. All the pending applications also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

February 16, 2026
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No