

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

135

CWP-11858-2026
Date of Decision:21.04.2026

JAI RAM

...PETITIONER

VERSUS

CANARA BANK AND OTHERS

...RESPONDENTS

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

Present: Mr. Krishan Singh, Advocate for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. This writ petition has been filed, *inter alia*, for quashing possession notice dated 02.04.2026, Annexure P-11, issued by Canara Bank for taking over the possession of secured asset.
2. Advance copy of the petition has been served upon the Bank.
3. Mr. Sartaj Singh Gill, Advocate has put in appearance on behalf of respondents No.1 and 2 and has filed Memorandum of Appearance, which is taken on record. He states that petitioner is a defaulter and despite having approached this Court twice, he did not deposit the amount due. Counsel has categoric instructions to state that secured asset has been sold in an auction and a certificate of sale has been issued in favour of auction purchaser on 21.10.2025. He submits that impugned notice has been issued to take over the possession of the premises. An objection has been raised by him that instant petition is not maintainable as petitioner has a remedy to approach the Debt Recovery Tribunal under the SARFAESI Act.
4. After hearing counsel for the parties, this Court is of the view that as petitioner has an alternate remedy under the SARFAESI Act, instant petition is dismissed as not maintainable.
5. However, liberty is granted to petitioner to take recourse to the alternate statutory remedy.

(SUVIR SEHGAL)
JUDGE

21.04.2026
sheetal

(VIKAS SURI)
JUDGE

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