



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

146

CWP-12929-2026

Date of Decision: 28.04.2026

M/S SHIVSHAKTI AUTOMATES AND ANOTHER

...Petitioners

Versus

BANK OF INDIA

...Respondent

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

Present:- Mr. Shivam Singh Chauhan, Advocate, for the petitioners.

Mr. Banni Thomas, Advocate, for the respondent.

SUVIR SEHGAL, J. (ORAL)

1. This petition has been filed *inter alia* for quashing the possession notice dated 25.03.2026, Annexure P-4, whereby mortgaged property is being put to auction for recovering the loan amount.

2. Having heard counsel for the parties, this Court is not inclined to interfere in exercise of its extraordinary writ jurisdiction. Respondent-Bank has initiated proceedings under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act') after petitioner failed to repay the loan instalments. An order was passed under Section 14 of SARFAESI Act and possession notice has been issued. Petitioner filed SA No.426/2024 before Debt Recovery Tribunal-II, Chandigarh, which has been rejected vide order dated 07.08.2025, Annexure P-2. Instead of filing an appeal, petitioner has filed a review application, which is pending. Petitioner claims that an application for stay of the possession notice, Annexure P-4, has been filed, which is pending and has not been



taken up for hearing.

3. Be that as it may, since petitioner is already before the Debt Recovery Tribunal, Chandigarh, remedy available to him is to pursue the recourse available under the SARFAESI Act. This Court does not intend to interfere in the matter.

4. Writ petition is dismissed. Liberty is granted to the petitioner to take recourse to the remedy available, in accordance with law.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

April 28, 2026
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No