



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

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CWP-14044-2026 (O&M)

Date of decision: 06.05.2026

ENCORE ASSET RECONSTRUCTION COMPANY PRIVATE LIMITED**....PETITIONER****VERSUS****DISTRICT MAGISTRATE / DISTRICT COLLECTOR GURUGRAM
HARYANA****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL****CORAM: HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present : Mr. Nitin Thatai, Advocate for the petitioner. (through VC)

Mr. Deepak Bhardwaj, Addl. A.G. Haryana.

SUVIR SEHGAL J.(ORAL)

1. This writ petition has been filed for issuance of a writ in the nature of mandamus directing respondents No. 1 to 3 to hand over the physical possession of the secured asset.
2. Counsel for the petitioner submits that order dated 10.10.2023 (Annexure P-3) has been passed by the District Magistrate, Gurugram under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act'). But despite lapse of more than 2 ½ year, physical possession of the secured asset has not been delivered.
3. Advance copy of the petition has been served upon the official respondents No.1 to 3.



4. On asking, Mr. Deepak Bhardwaj, Addl. A.G. Haryana counsel has put in appearance on behalf of respondents No.1 to 3. He does not have any instructions.

5. Having heard counsel for parties and keeping in view the observations of Division Benches of this Court in *Bank of Maharashtra vs. District Magistrate, Hisar and others, 2024 (2) PLR 346*, as well as in *IIFL Home Finance Limited vs. State of Haryana and others, Law Finder Doc ID #2875322*, writ petition is disposed of with a direction to competent authority to comply with order dated 10.10.2023 (Annexure P-3) within a period of 60 days from the date of communication of the copy of this order, unless there is any legal impediment in doing so.

6. Pending miscellaneous application(s), if any, shall also stand disposed of.

(SUVIR SEHGAL)
JUDGE

(YASHVIR SINGH RATHOR)
JUDGE

06.05.2026
Vishal Vardhan

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