



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

247

CWP-13620-2023

Date of Decision: 28.04.2026

Subhash Kumar Trehan and another**....Petitioners****Versus****Reserve Bank of India and another****....Respondents**

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

Present: Mr. Harsh Chopra Advocate and
Mr. Ishan Mathur, Advocate
for the petitioners.

Mr. Ashish Chaudhary, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (ORAL)

1. While issuing notice of motion on 21.06.2023, this Court placed reliance upon interim order dated 06.03.2019 (Annexure P-6) passed in CR-1543-2019 titled as *Atam Parkash vs. Allahabad Bank*. Concededly, the civil revision petition has been dismissed by this Court on 06.11.2025 and the petitioner/co-borrower has been unsuccessful in SLP.

2. The question that now arises is as to whether this petition whereby the petitioner has assailed the proceedings initiated by respondent No.2 under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act') as well as the auction being conducted thereunder, is maintainable.

*CWP-13620-2023*

-2-

3. In view of the statutory provisions of SARFAESI Act, particularly Section 17 thereof, remedy available to the petitioner is to approach the Debts Recovery Tribunal.

4. Instant petition is not maintainable and is dismissed as such. Liberty is given to the petitioners to take recourse to the remedy available to them in accordance with law.

5. It is clarified that this Court has neither noticed the arguments addressed by the counsel for petitioners nor has examined them on merits.

(SUVIR SEHGAL)
JUDGE

(VIKAS SURI)
JUDGE

April 28, 2026

Varinder

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No