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

CWP-21005-2021 (O&M)

Date of Decision : 18.05.2026

HARI RAM AND ORS

.... Petitioners

VERSUS

ICICI BANK AND ORS

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**HON'BLE MR. JUSTICE RAMESH CHANDER DIMRI**

Present : Mr. Sachin Jain, Advocate for the petitioners.

Mr. Udai Yashvir Singh, Advocate and
Mr. Samarth Suri, Advocate for
Mr. Sandeep Suri, Advocate for the respondents.

ALKA SARIN, J. (ORAL)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India challenging the notices dated 17.04.2021 (Annexure P-4) and dated 24.06.2021 (Annexure P-7), both issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the 'SARFAESI Act').

2. Learned counsel for the respondents, at the outset, states that the present writ petition deserves to be dismissed at this stage inasmuch as no cause of action has arisen in favour of the petitioners herein since only notices to show cause have been issued under Section 13(2) of the SARFAESI Act and that the cause of action in favour of the petitioners would arise only once

a notice under Section 13(4) of the SARFAESI Act is issued. In support of his arguments, learned counsel for the respondents has relied upon the judgment passed by the Supreme Court in **M/s South Indian Bank Ltd. & Ors. Versus Naveen Mathew Philip & Anr. [2023 (17) SCC 311 = 2023 LiveLaw (SC) 320]**.

3. Learned counsel for the petitioners is not in a position to deny the legal position of law that no cause of action arises in favour of the petitioners till such time as a notice under Section 13(4) of the SARFAESI Act is issued.

4. In view of the above, the present writ petition is dismissed as not maintainable at this stage.

5. Needless to say the petitioners would always be at liberty to avail the remedies in accordance with law.

6. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

(RAMESH CHANDER DIMRI)
JUDGE

18.05.2026
Aman Jain

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No