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

CWP-18778-2026

Date of decision: 01.07.2026

ICICI HOME FINANCE COMPANY LIMITED

...Petitioner(s)

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI
HON'BLE MR. JUSTICE SANJIV BERRY**

Present:- Mr. Rishabh Gupta, Advocate
for the petitioner.

Ms. Shruti, Assistant Advocate General, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

1. The present Civil Writ Petition has been filed under Article 226 of the Constitution of India seeking issuance of directions to respondents No.2 to 4 to take appropriate legal action expeditiously in pursuance of the order under Section 14 of the SARFAESI Act, 2002 (as amended upto date) and to deliver the physical possession of the mortgaged property/secured asset in compliance of the order dated 19.04.2025 (Annexure P-1) under Section 14 of the SARFAESI Act in a time bound manner.

2. Learned counsel for the petitioner submitted that the petitioner is a finance company and a secured creditor under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'the SARFAESI Act'). He



further submitted that after complying with the procedure prescribed under Sections 13(2) and 13(4) of the SARFAESI Act, the petitioner filed an application under Section 14 of the SARFAESI Act before the learned Chief Judicial Magistrate, Patiala, which was disposed of vide order dated 19.04.2025 (Annexure P-1) with a direction to the concerned Collector to get the warrants of possession executed. He further submitted that despite the direction issued by the learned Chief Judicial Magistrate, Patiala vide order dated 19.04.2025, the Collector has not taken any further steps to comply with the order and in this way, possession could not be handed over to the petitioner and the entire exercise under Section 14 of the SARFAESI Act has become a futile exercise and therefore, necessary directions may be issued to the concerned Collector to comply with the order passed by the learned Chief Judicial Magistrate, Patiala under Section 14 of the SARFAESI Act.

3. On the other hand, Ms. Shruti, Assistant Advocate General, Punjab submitted that a perusal of the order dated 19.04.2025 (Annexure P-1) would show that the learned Chief Judicial Magistrate, Patiala has directed the Collector to do the needful but she has no instructions in this regard as to whether any action has been taken or not.

4. After hearing the learned counsels for the parties and considering the aforesaid factual position, whereby the petitioner being a secured creditor has already filed an application under Section 14 of the SARFAESI Act before the learned Chief Judicial Magistrate, Patiala, which has been decided but physical possession could not be taken, the present petition can be disposed of by granting only the aforesaid relief being sought by the petitioner.



5. Consequently, the present Civil Writ Petition is disposed of with a direction to respondents No.2 to 4 for complying with the order passed by the learned Chief Judicial Magistrate, Patiala vide Annexure P-1 with regard to taking of the possession in accordance with law. Needful shall be done within a period of one month from today.

(JASGURPREET SINGH PURI)
JUDGE

01.07.2026
Chetan Thakur

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No