

109-CWP-28570-2022

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

CWP-28570-2022

Date of decision: 22.01.2026

Surinder Khosla**....Petitioner.**

Versus

ICICI Bank Limited and others**....Respondents.**

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present:- Mr. Sandeep Jain, Advocate (arguing counsel)
and Mr. Davinder Kumar, Advocate and
for the petitioner.
Mr. Gagandeep S.Sirphikhi, Advocate,
for the borrower.
Mr. Samarth Suri, Advocate,
for Mr. Sandeep Suri, Advocate,
for Bank/respondents No. 1 and 2.

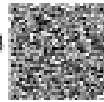
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SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This Court on 03.12.2025 had disposed of
CWP-24944-2022 (*M/s Shingari Rice & General Mills and another vs. ICICI
Bank and others*) in the following terms: -

3. *In view of the above and considering the consent given by
learned counsel appearing for the Auction Purchaser/respondent
no. 4, it would be appropriate to record that the Auction Purchaser
is ready and willing to hand over the plant and machinery to the
petitioner/borrower, presently existing at the site in question.*

4. *Accordingly, this Court directs the Auction Purchaser–
respondent No. 4 to hand over the plant and machinery lying at the
site in question to the petitioner/borrower within a period of 30 days
from the date of this order.*

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5. *The grievance of the petitioner/borrower is that certain plant and machinery which had not been mortgaged with the respondent/Bank, does not exist at the industrial plot in question.*

6. *In these circumstances, it would be appropriate for the petitioner/borrower to lodge an F.I.R. regarding the remaining plant and machinery that were not mortgaged with the respondent/Bank. Upon such a complaint being filed before the jurisdictional police station, the police shall look into the matter and register an F.I.R. if the complaint discloses the commission of cognizable offence(s).*

7. *The jurisdictional police station is directed to conduct an investigation and in the event any recovery is made of the stolen plant and machinery, the petitioner/borrower shall be at liberty to apply for interim custody of the same, in accordance with law.*

8. *It is clarified that the present order is passed without prejudice to the rights of the petitioner/borrower to avail any other remedy under the law, or to raise any grievance that remains unaddressed.*

9. *Accordingly, the present petition stands disposed of, for the time being.*

10. *All pending civil miscellaneous application(s), if any, also stand disposed of.*

2. In the backdrop of the aforesaid order passed in CWP-24944-2022 (*supra*), Mr. Samarth Suri, learned counsel appearing on behalf of Mr. Sandeep Suri, arguing counsel for the Bank, submits that the Bank is ready and willing to re-issue the sale certificate in favour of the auction purchaser.

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3. In view of above, nothing remains to be adjudicated and with the aforesaid observations, this petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

22.01.2026
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |