

2026.PHHC.025232-DB



CWP-29153 of 2025

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-29153 of 2025
Date of decision: 18.02.2026

SHIRDI SAI FIXING PVT LTD

....Petitioner

V/S

CANARA BANK AND OTHERS

... Respondents

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

Present: Mr. Atul Sharma, Advocate (Arguing Counsel)
Mr. Gourav Bhartwal, Advocate for the petitioner.
Mr. R.S. Bhatia, Advocate for the respondent/Bank.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner stood as a guarantor in Loan Account No. 81509780000029 to secure the loan availed by the borrower, namely Smt. Pallavi Sharma.
2. Learned counsel for rival parties do not dispute that the said loan has been repaid and therefore the loan accounts stands closed.
3. The petitioner is before this Court seeking release of the title deeds, which were submitted with the respondent/Bank to secure the aforesaid loan amount.
4. Learned counsel for respondent/bank has raised the plea of general lien available to Bankers u/s 171 of the Indian Contract Act whereas learned counsel for petitioner had relied upon the Judgement of Apex Court in CA No.6077-2010 titled ‘*Zonal Manager, Central Bank of India Versus M/s Devi Ispat Ltd. and others*’; the judgment of the Madras High Court in W.P. (MD)

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No.12613 of 2016 titled '*M.Shanthi Versus Bank of Baroda*' and the judgment of the Bombay High Court (Nagpur Bench) in WP No.32 of 2022 titled '*Mr. Sunil Versus Union Bank of India*'.

5. However, it is not disputed by the rival parties that the same issue is the subject matter of O.A. No. 2140 of 2022 filed by the respondent/Bank, which is pending adjudication before the Debts Recovery Tribunal-III (for short, "DRT-III, Chandigarh").

6. In view of above and considering the fact that both the petitioner and the respondent/Bank are parties to O.A. No. 2140 of 2022, this Court refrains from making any comments on merits of the matter and leaves it open to the parties to agitate their respective claims before DRT-III, Chandigarh in the said Original Application.

7. With aforesaid liberty, present petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

18.02.2026

Kamal Gandhi

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