



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

CWP-6840-2025 ( O&M )

Date of Decision : 28.08.2025

Rohit Wadhwa and another

.....Petitioners

Versus

Edelwiess Asset Reconstruction Company Limited and another

.....Respondents

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

Present: Mr. Shvetanshu Goel, Advocate (arguing counsel), and  
Ms. Kritika Gupta, Advocate,  
for the petitioners.

Mr. Harsh Chopra, Advocate,  
for the respondents.

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**SHEEL NAGU, CHIEF JUSTICE** ( Oral )

1. The present petition has been filed by the borrowers assailing notice dated 24.05.2024 (Annexure P-3) issued under Section 13 (2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act'), as well as possession notice dated 10.10.2024 (Annexure P-4).

2. The pleadings in this petition reveal that not only notice under Section 13 (4) of the SARFAESI Act has been issued, but order Section 14 was passed way back on 29.11.2024, which the petitioner has not challenged in this petition.



2.1 The challenge made herein can very well be raised before the jurisdictional Debts Recovery Tribunal (DRT) under Section 17 of the SARFAESI Act, which remedy the petitioner is free to avail.

2.2 Since there was interim relief granted to the petitioners by this Court vide interim order dated 11.03.2025, same shall continue till the DRT decides the prayer for grant of interim relief, provided the petitioners approach the jurisdictional DRT within a period of thirty days, failing which interim order dated 11.03.2025 shall cease to exist.

2.3 In case, SA is filed by the petitioners within a period of thirty days, the jurisdictional DRT shall take its own decision on the question of interim relief, without being influenced by passing of this order and also the petitioners having approached this Court.

3. Petition stands disposed of with aforesaid liberty.

4. Pending application also stands disposed of.

( SHEEL NAGU )  
CHIEF JUSTICE

( SANJIV BERRY )  
JUDGE

August 28, 2025  
narotam

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