



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

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|------------------------------------|--------|------------------------|
| (1) | | CWP-16110-2019 |
| Manoj Kumar | |Petitioner |
| | Versus | |
| Union of India and others | |Respondents |
| (2) | | CWP-2597-2020 |
| M/s Sohan Lal Agarwal and Sons | |Petitioner |
| | Versus | |
| Punjab National Bank | |Respondent |
| (3) | | CWP-2997-2020 |
| M/s Sohan Industries | |Petitioner |
| | Versus | |
| Punjab National Bank | |Respondent |
| (4) | | CWP-11235-2021 |
| Abha Rani | |Petitioner |
| | Versus | |
| State of Punjab and others | |Respondents |
| (5) | | CWP-24757-2021 (O&M) |
| M/s S.M.D. Steel India and another | |Petitioners |
| | Versus | |
| Bank of Baroda and another | |Respondents |
| (6) | | CWP-7796-2022 (O&M) |
| Amarjeet Singh Gandhi | |Petitioner |
| | Versus | |
| Union of India and others | |Respondents |



CWP-16110-2019 and connected matters

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- (7) CWP-17531-2022 (O&M)
M/s Sarthik Education Trust and anotherPetitioners
Versus
CSL Finance Limited and anotherRespondents
- (8) CWP-20031-2022 (O&M)
Kaushalya Devi and othersPetitioners
Versus
Deputy Commissioner, Sirsa and anotherRespondents
- (9) CWP-24747-2022 (O&M)
Rahul BhadanaPetitioner
Versus
District Magistrate, Faridabad and anotherRespondents
- (10) CWP-25355-2022
M/s Sehgal Silk Store and anotherPetitioners
Versus
District Magistrate-cum-Deputy Commissioner, Patiala and othersRespondents
- (11) CWP-25405-2022
M/s Birji Electricals and anotherPetitioners
Versus
Punjab National Bank and othersRespondents
- (12) CWP-26633-2022
Muneet Singh ParharPetitioner
Versus
Reserve Bank of India and othersRespondents



(13)

CWP-7258-2023

Sushil Kapoor and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

(14)

CWP-7482-2023

Sumeet Gulati

.....Petitioner

Versus

District Magistrate-cum-Deputy Commissioner, Ludhiana and others

.....Respondents

Date of decision : 12.08.2025

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

Present: Mr. Sukhwinder Singh Kainth, Advocate,
for the petitioner in CWP-11235-2021.

Mr. Ajay Jain, Advocate,
for the petitioners in CWP-24757-2021.

Mr. Divyan Suri, Advocate, for
Mr. Rohit Suri, Advocate,
for the petitioners in CWP-17531-2022.

Mr. S.K. Choudhary, Advocate,
for the petitioners in CWP-25405-2022.

Mr. Arpit Chawla, Advocate,
for the petitioner in CWP-7482-2023.

Mr. Manish Jain, Advocate,
for respondent No.3 in CWP-16110-2019.

Mr. Anuj Dewan, Advocate,
for the respondent in CWP-17531-2022.

Mr. Sahil Khunger, Advocate,
for respondent No.2 in CWP-20031-2022.



Mr. Harsh Chopra, Advocate,
for respondent No.2 in CWP-24747-2022.

Mr. Rahul Garg, Advocate,
for respondents No.5 and 6 in CWP-25355-2022.

Mr. Gaurav Goel, Advocate,
for respondents No.1 to 3 in CWP-25405-2022.

Mr. Nitin Grover, Advocate, and
Mr. Rampal Kohli, Advocate,
for respondent No.3 in CWP-7258-2023.

Mr. Vipin Pal Yadav, Addl. Advocate General, Punjab.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioners, in all these petitions, who are borrowers/guarantors/auction purchasers, have approached this Court challenging separate orders passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act'), on various grounds.

2. Shri Manish Jain, Advocate, submits that he pleads no instructions to appear on behalf of respondent No.3 in CWP-16110-2019.

3. The Apex Court has consistently held that High Courts should refrain from interfering under Article 226 of the Constitution in SARFAESI proceedings. The SARFAESI Act is a complete code, which not only provides for a detailed recovery mechanism but also remedies before the Debts Recovery Tribunal (DRT) and thereafter, Debts Recovery Appellate Tribunal (DRAT).



4. From the averments made in these petitions, it does not appear that the petitioners have availed the statutory alternative remedy of approaching the DRT and thereafter, before DRAT.

5. In view of above and the ratio laid down by Apex Court in **United Bank of India Vs. Satyawati Tondon, (2010) AIR SC 3413 (Paras 17, 27); Phoenix ARC Private Limited Vs. Vishwa Bharati Vidya Mandir and others, (2022) 5 SCC 345 (Paras 10, 21);** and **PHR Invent Educational Society Versus UCO Bank and others, 2024 (6) SCC 579 (Paras 22 to 41)**, this Court refrains from exercising jurisdiction under Article 226 of the Constitution.

6. The petitioners are relegated to avail the appropriate statutory remedy under the SARFAESI Act before the DRT and thereafter before DRAT.

7. Accordingly, all these writ petitions stand disposed of with aforesaid liberty, without commenting on merits, without cost.

8. All the pending applications also stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

August 12, 2025
narotam

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