



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

CWP-23270-2025

Date of decision : 12.08.2025

Nav Jyoti Educational Society and others

.....Petitioners

Versus

ICICI Home Finance Company Limited and others

.....Respondents

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

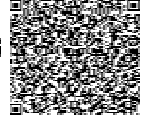
Present: Mr. Pradeep Chhoker, Advocate,
for the petitioners.

Mr. Karan Sharma, Advocate for
Mr. Nitin Thatai, Advocate,
for respondent No.1.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioners, who are borrowers, have filed this petition assailing e-auction notice dated 20.07.2025, scheduling the auction of the secured asset on 20.08.2025, pursuant to notice issued under Section 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act', for brevity).

2. The Apex Court, time and again, has come down heavily on the High Courts, exercising the power of judicial review in matters relating to SARFAESI Act, especially where alternative statutory remedy of approaching the DRT or DRAT is available. [see *Phoenix Arc Private Limited Vs. Vishwa*



Bharati Vidya Mandir and others, (2022) 5 SCC 345; G. Vikram Kumar Vs. State Bank of Hyderabad and others, (2023) 14 SCC 159].

3. Accordingly, this Court, without commenting on merits of the case, relegates the petitioners to avail appropriate statutory remedy under the SARFAESI Act before the DRT and, thereafter before DRAT.

4. The petition stands disposed of with aforesaid liberty.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

August 12, 2025
narotam

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