



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

124

CR-3197-2025

Date of Decision: 26.05.2025

PUNJAB NATIONAL BANK

.....PETITIONER

Vs.

SUKHWINDER SINGH AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Gaurav Goel, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

By way of this revision, petitioner, who is defendant No.2 before the trial Court in *Civil Suit No.1046-2024* titled as *Sukhwinder Singh Vs. Tarwinder Kaur and Others*, seeks direction to the Court concerned to dispose of the application under Order VII Rule 11 CPC expeditiously.

2. It is contended by learned counsel that M/s Ponta Sahib Food Corporation had taken loan from the petitioner-Bank. Defendant No.1-Tarwinder Kaur was the guarantor. The loan account became NPA in 2021. Proceedings under SARFAESI Act were initiated by the Bank i.e. defendant No.2-petitioner. However, alleging himself to be the tenant on the suit property which is a secured asset, the plaintiff Sukhwinder Singh- (*respondent No.1 herein*) filed a suit for permanent injunction.

3. The petitioner moved an application under Order VII Rule 11 CPC contending that jurisdiction of Civil Court is barred in view of Section 34 to be read with Section 35 SARFAESI Act. However, that application has



not been disposed of till date and plaintiff-respondent is enjoying the injunction.

4. Without commenting anything on the merits of the case, the present petition is hereby disposed of with the direction to the Court concerned to dispose of the application under Order VII Rule 11 CPC moved by defendant No.2-petitioner within 02 months from the next date of hearing fixed before the trial Court i.e. 28.05.2025.

26.05.2025

pry

**(DEEPAK GUPTA)
JUDGE**

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