



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

CWP-24206-2025

Date of decision : 21.08.2025

M/s D.P. Mini Rice Mill Udyog Samiti

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MS. JUSTICE RAMESH KUMARI

Present: Mr. Ankush Thakral, Advocate (arguing counsel),
Mr. S.S. Bhullar, Advocate, and
Mr. Abhishek Kumar, Advocate,
for the petitioner.

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

Mr. Anant Bir Singh Sidhu, Advocate,
for respondents No.4 and 5.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner – borrower in the present petition is assailing the recourses taken by the respondent Bank under Section 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act').

2. It is not disputed by learned counsel for the petitioner that SA No.65/2024, titled "M/s DP Mini Rice Mills Gram Udyog Smiti Vs. Punjab Sind Bank" has already been filed by the petitioner before the DRT challenging the proceedings initiated by the Bank under the SARFAESI Act for recovery of the due amount and the petitioner has defaulted in making the



part payment, as directed by DRT-I, Chandigarh, and therefore, the protection granted by DRT was lifted.

2.1 The respondent Bank is now proceeding ahead for ensuring recovery of the due amount, by taking possession and liquidating the secured asset.

2.2 So long as there is no restraint order passed by any judicial authority, the Bank is duty bound to proceed to take possession and liquidate the secured asset, in terms of the mortgage executed by the petitioner.

3. In view of above, the petition stands disposed of, without commenting on merits of the case, with liberty to the petitioner to pursue the remedy already availed under the SARFAESI Act.

(SHEEL NAGU)
CHIEF JUSTICE

(RAMESH KUMARI)
JUDGE

August 21, 2025
narotam

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