



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

CWP-5514-2021 (O&M)

Date of decision : 14.10.2025

Sandeep and another

.....Petitioners

Versus

District Magistrate, Ludhiana and others

.....Respondents

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

Present: Mr. N.S. Dadwal, Advocate,
for the petitioners.

Mr. Salil Sabhlok, Senior DAG, Punjab.

Mr. Abhinav Sood, Advocate,
And Mr. Nitesh Jhahria, Advocate,
for respondent No. 2-Bank.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The present petition filed by the borrowers, assails notices dated 16.11.2019 and 17.02.2020 (Annexures P-1 & P-7 respectively) issued u/s 13 (2) and 13 (4) as well as orders dated 02.02.2021 and 18.02.2021 (Annexures P-4 and P-5) passed u/ss 14 and 14 (1) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short SARFAESI Act), on various grounds.

2. It appears that SA No.25 of 2021 filed by the petitioners, whose order was also challenged in the present petition, later got dismissed for want of prosecution on

02.08.2023. It is also informed that no attempt has been made by the petitioners/borrowers to restore the said SA on record.

3. Thereafter, attempt towards mediation made vide order dated 15.01.2025, also did not bear any fruits. However, it is noticeable from the record, especially the order-sheet dated 22.11.2024 that this petition, which was earlier dismissed for want of prosecution on 09.05.2024 and was restored later on, this Court had declined to continue with the interim order, which had been passed initially on 09.03.2021.

4. Consequently, it is obvious that the petitioners/borrowers took undue advantage of pendency of this petition and the pretext of pendency of mediation proceedings, to withhold the bank from liquidating the secured asset.

5. In view of the above, this Court declines interference and dismisses this petition with liberty to the petitioners to approach the DRT in accordance with law.

6. However, the respondent-Bank is free to liquidate the secured asset as per law.

7. All other pending application(s), if any, also stand disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

October 14, 2025
Ajay Prasher

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