

2025:PHHC:106366-DB



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

**CWP-1662-2023 (O&M)
Date of decision: 13.08.2025**

Rajiv Sondhi

.....Petitioner

Versus

Punjab National Bank and others

.....Respondents

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

Present: Mr. Veneet Sharma, Advocate,
for the petitioner.

Mr. D.K. Gupta, Advocate,
for respondent Nos.1 and 2-bank.

Mr. Sudeep Mahajan, Advocate,
Ms. Saachi Mahajan, Advocate,
and Mr. Shiv Charanjit, Advocate,
for respondent Nos.4 and 5.

SHEEL NAGU, C.J. (ORAL)

1. The petitioner is one of the successful auction purchasers of Shop No.52, New Grain Market (Dana Mandi), Bhikhiwind, Tehsil Patti, District Tarn Taran, which was held to liquidate part of the secure asset, which was mortgaged to secure the loan borrowed by Ganesh Rice Mills.

2. Number of disputed questions of facts are being raised in the present petition, which will require adjudication, which ought not to be done while exercising the power of

Judicial Review under Article 226 or the power of Superintendence under Article 227 of the Constitution of India, especially when there is an alternative statutory remedy of approaching the Debts Recovery Tribunal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act'), against any of the recourses adopted under Section 13 (4) of the SARFAESI Act.

3. In view of the above, this petition stands disposed of without commenting upon the merits, with the direction that in case, the petitioner approaches the Debts Recovery Tribunal under Section 17 of the SARFAESI Act, within a period of 30 working days, the said application shall be entertained and decided on merits without being dismissed on the ground of limitation alone.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

13.08.2025

Ajay Prasher

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