



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

CWP-8425-2025 (O&M)

Date of decision: 12.09.2025

Shakunatla Devi and another

.....Petitioners

Versus

HDFC Bank Limited

.....Respondent

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

Present: Mr. Parveen Chauhan, Advocate,
for the petitioners.

Mr. Abhinav Sood, Advocate,
and Ms. Mehndi Singhal, Advocate,
for the respondent-Bank.

SHEEL NAGU, C.J. (ORAL)

1. The petitioners-borrowers, who are husband and wife and had taken a loan from the respondent-bank sometime in 2018-2019, paid the installments as alleged, on regular basis for four years, but thereafter due to slump in the business, defaults took place, leading to issuance of notice u/s 13 (2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act').

2. This petition has been filed prior to issuance of notice u/s 13 (2) of the SARFAESI Act, which was issued during pendency of this petition.

3. The petitioners/borrowers had an opportunity to

prefer a reply to the bank u/s 13 (3A) of the SARFAESI Act and the same ought to be availed by the petitioners.

4. Considering the fact that petitioner No.2, one of the borrowers, is 85% disabled and petitioner No.1 is his wife and is a home-keeper and has alleged that both the sons are separated and do not financially help the borrowers, the bank is directed to take a sympathetic view of the case of the petitioners, after receiving the reply u/s 13 (3A) of the SARFAESI Act, if submitted by the petitioners within a period of 30 days from today.

5. Unless the reply is considered, as submitted u/s 13 (3A) of the SARFAESI Act, and decided by speaking orders, no further coercive steps shall be taken against the petitioners.

6. This petition stands disposed of accordingly.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

12.09.2025

Ajay Prasher

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