



CWP-25517-2025

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

CWP-25517-2025

Date of decision: 30.09.2025

M/S ARVINDERA ELECTRICALS AND ORS

....Petitioners

Versus

HDFC BANK LTD AND ANR

...Respondents

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

Present: Ms. Ridhi Bansal, Advocate
for the petitioners.

Mr. Manish Jain, Advocate (Arguing counsel)
Mr. Manan Jain, Advocate
for the respondents.

SHEEL NAGU, C.J. (Oral)

1. The challenge herein is to notice u/s 13(2) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act for brevity) and also that despite petitioner No.1 being MSME, the benefits of MSME Scheme have not been extended to petitioner No.1.
2. Learned counsel for the Bank, on the other hand, contends that notice u/s 13(2) of SARFAESI Act is in the process of being withdrawn because of a technical and procedural defect, but however contends that petitioner No.1 does not qualify to be eligible for benefits under the MSME Scheme.
3. The aforesaid submissions of learned counsel for the Bank in regard to MSME status are refuted by counsel for the petitioners.
4. With the consent of the parties, present petition stands disposed of



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with liberty to the petitioners to avail remedy before the DRT or DRAT, as the case may be, in case the Bank adopts recourses u/s 13(4) of SARFAESI Act.

5. The petitioners are always free to press for their claim for entitlement under the MSME Scheme, if eligible.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

30.09.2025*mohit goyal*

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No