



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

122

**CM-14896-CWP-2025 & CM-14897-CWP-2025
IN/& CWP-28059-2025 (O&M)
Date of Decision:- 01.10.2025**

SURINDER SINGH AND ANOTHER

...Petitioner(s)

Versus

AUTHORIZED OFFICE HDFC BANK AND ANOTHER

...Respondent(s)

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

Present:- Mr. Akhilesh Vyas, Advocate for the petitioners.

Mr. Sahil Khunger, Advocate for respondent No.1.

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SHEEL NAGU, C.J. (Oral)**CM-14896-CWP-2025**

1. The present application has been preferred seeking preponement of the main case i.e. CWP-28059-2025, which is listed for hearing before this Court on 15.10.2025.

2. In view of the averments made in the application, same is allowed. The main case i.e. CWP-28059-2025, is taken up on board today itself.

Main case

1. The petitioners, who are borrowers, have filed this petition challenging the final order dated 29.07.2025 (Annexure P-1), by which the SA No.144 of 2025, preferred by the petitioners, was dismissed as time-barred by DRT-III, Chandigarh.

2. Admittedly, the petitioners have an alternative efficacious



remedy of filing an appeal before the DRAT, which has not been availed.

3. It is submitted by learned counsel for the petitioners that the possession of the secured asset, which is a residential premises, will be taken on 03.10.2025.

4. If the petitioners approach the DRAT within a period of 10 working days from today, then the Bank is restrained from taking possession of the secured asset.

5. This order is being passed only to afford an opportunity to the petitioners to avail alternative efficacious and statutory remedy of appeal under the SARFAESI Act.

6. While considering the appeal of the petitioners, the DRAT shall not be prejudiced by the interim order passed today.

7. If the petitioners do not approach the DRAT within 10 working days, the interim relief granted today shall stand automatically vacated.

8. Disposed of.

9. CM-14897-CWP-2025 stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

01.10.2025

S.Sharma

i)	<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
ii)	<i>Whether reportable?</i>	<i>Yes/No</i>