



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

252+255+256

- 1. CWP-19595-2023
Date of Decision:- 28.08.2025**

CANFIN HOMES LTD. THROUGH AUTHORIZED OFFICER
...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS
...Respondent(s)

- 2. CWP-23873-2023**

PUNJAB NATIONAL BANK
...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS
...Respondent(s)

- 3. CWP-26545-2023**

PUNJAB NATIONAL BANK
...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS
...Respondent(s)

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

Present: Mr. Abhinav Bali, Advocate
for the petitioner in CWP-19595-2023.

Mr. D.K. Gupta, Advocate
for the petitioner in CWP-23873-2023 and CWP-26545-2023

Mr. Deepak Balyan, Additional A.G. Haryana.

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SHEEL NAGU, C.J. (Oral)

1. This common order shall dispose of the above-mentioned writ petitions as the cause raised therein is identical.



2. The present writ petitions have been filed by petitioner-Bank/financial institution aggrieved by non-execution of the order passed by the concerned District Magistrate under the provisions of Section 14 Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act for brevity).

3. It is rather surprising that the concerned District Magistrate or the Tehsildar/Naib Tehsildar have failed to discharge their statutory duty of assisting and handing over physical possession of the secured asset to the petitioner-Bank/financial institution.

3.1 Non-Performing Assets (NPAs) are a huge burden on the public exchequer, banking and financial system, and, thus, prompt enforcement of recovery mechanism under the SARFAESI Act is paramount for liquidity in the system.

4. In view of the above, this Court by way of writ of mandamus directs the concerned District Magistrate to get the order passed under Section 14 of SARFAESI Act executed by handing over physical possession of the secured asset to the petitioner-Bank/financial institution as expeditiously as possible, preferably, within a period of 30 days. The petitioner-Bank, thereafter, can proceed to adopt all possible legitimate means to liquidate the secured asset to recover the due amount.

5. The petitions for the time being stand disposed of in the terms aforesaid. Needless to say that the guidelines laid down by Coordinate Bench in *Bank of Maharashtra Vs. District Magistrate, Hisar And Others* [CWP-7018-2022 decided on 28.05.2024] be adhered to by the concerned authorities.



6. We hasten to add that this order shall however be subject to any restraint/interim/final order which may have been passed by any judicial forum, in favour of the borrowers/guarantor/any aggrieved person, who is party to this *lis*.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

28.08.2025
S.Sharma

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