



2026:PHHC:076121-DB



CWP-14147-2026 (O&M)

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

(132)

**CWP-14147-2026 (O&M)
Date of decision:- 14.05.2026**

ICICI Home Finance Company Limited

... Petitioner

Versus

State of Haryana and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Nitin Thatai, Advocate, Ms. Monika Thatai, Advocate,
Ms. Shruti Sharma, Advocate and Mr. Karan Sharma, Advocate,
for the petitioner.

SUVIR SEHGAL, J. (ORAL)

CM-8016-CWP-2026

1. Application is allowed, as prayed for.
2. Annexures P-4 and P-5, are taken on record.

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3. Counsel for the petitioner states that respondents No.4 and 5 had approached petitioner-financial institution for financial assistance and were granted a home loan of Rs.83,35,500/-. He states that petitioner mortgaged some immovable property and a loan agreement dated 11.07.2023, Annexure P-1, was entered into between the parties, but the borrower failed to maintain financial discipline and defaulted in repayment of the loan amount. Counsel further states that the loan account was classified as Non Performing Asset (NPA) on 09.12.2025, whereafter proceeding under the SARFAESI Act, 2002 was initiated and notice under Section 13(2), *ibid*, was issued on 15.12.2025, Annexure P-2, which was followed by notice under Section 13(4) thereof. Counsel submits that when petitioner attempted to take symbolic possession,

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it could not locate the property and an application dated 13.01.2026, Annexure P-3, has been submitted to the Tehsildar for demarcation. Counsel asserts that despite pursuing, application has not been dealt with.

4. Advance copy of the petition has been served upon the official respondents.

5. On asking of the Court, Mr. Anant Kataria, DAG, Haryana puts in appearance on behalf of respondents No.1 to 3. He does not have any instructions.

6. It is clear from the pleadings that borrower mortgaged immovable property and a loan facility was extended to him by petitioner. Upon default in re-payment, petitioner took steps to take possession of the mortgaged property, but it could not be identified. A request for demarcation has been given and it is pending with the revenue authorities.

7. Accordingly, a direction to the competent authority to demarcate the mortgaged property and furnish a report to petitioner within a period of one month from today.

8. Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

14.05.2026
Kamal

(VIKAS SURI)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No