



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

213

COC-6280 of 2025 (O & M)

Date of decision :-11.05.2026

M/s Satguru Foundations (Regd.)

.....Petitioner

Versus

Manoj S.R. (AGM)

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Ms. Pridhi Sandhu, Advocate
for the petitioner.

Mr. Rakesh Gupta, Advocate for the respondent.

NIDHI GUPTA J. (Oral)

Present contempt petition has been filed alleging violation of order dated 22.9.2025 (Annexure P-2) passed by a Division Bench of this Court in CWP-12956-2022 titled as “M/s Satguru Foundation (Regd.) and another vs. Canara Bank and another”, whereby the petition was disposed of with the following observations :-

“xxx xxx xxx

5. *The petitioners are relegated to avail the appropriate statutory remedy under the SARFAESI Act before the DRT and thereafter, before DRAT. In case the petitioners prefer an application under Section 17 of SARFAESI Act within a period of 30 days from today along with copy of this order, the same shall be considered and decided on its own*



merits, without being dismissed on limitation alone.

6. Interim relief, if granted, in the present petition, shall continue till DRT takes fresh decision on the question of interim relief, provided the petitioners approach DRT within 30 days, failing which, the interim relief shall lose its effect. It is made clear that if, petitioners approach the Tribunal within the prescribed stipulated time, then this order shall not prejudice the mind of Tribunal while deciding the question of interim relief, if admissible to the petitioners. We further make it clear that the Tribunal shall decide the request for interim relief strictly on merits of the matter, without being influenced by the fact of petitioner, having approached this Court or this Court having passed the present order.

xxx xxx xxx”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner had duly approached the Debts Recovery Tribunal within the stipulated period of 30 days by filing an application under Section 17 of the SARFAESI Act along with an application seeking interim relief. It is submitted that both the main application as well as the application for interim relief are still pending adjudication before the Tribunal.

It is further contended by learned counsel for the petitioner that despite repeated requests made on behalf of the petitioner, the Debts Recovery Tribunal has not yet passed any order on the application seeking interim protection. Learned counsel submits that during the pendency of the said proceedings, the



respondents proceeded to issue sale notices (Annexures P-3 to P-5) in respect of the property in question, allegedly in disregard to the spirit of the order passed by the writ Court.

On the other hand, learned counsel appearing on behalf of the respondents has vehemently opposed the submissions made by learned counsel for the petitioner and submits that the sale notices in question pertain to another property mortgaged by M/s Aasra Foundation and not to the property forming subject matter of the present dispute.

At this stage, learned counsel for the petitioner submits that the principal grievance raised before the writ Court itself was with regard to attempts being made by M/s Aasra Foundation to alienate or dispose of unpartitioned property and that is why the petitioners had been relegated to avail the remedy before the Debts Recovery Tribunal.

Learned counsel for the respondents, however, submits that the impugned sale notices (Annexures P-3 to P-5) have ultimately not fructified and the auction proceedings have failed on account of absence of bidders. The said factual position is not disputed by learned counsel for the petitioner.

This Court has considered the submissions made by learned counsel for the parties and perused the record.

A perusal of the order dated 22.09.2025 passed by the Division Bench shows that the writ Court had relegated the petitioners to avail the statutory remedy before the Debts Recovery Tribunal and



had further observed that the request for interim relief shall be considered by the Tribunal on its own merits. The issue as to whether the sale notices pertain to the same property or to another mortgaged property involves disputed questions which are already subject matter of proceedings before the competent Tribunal.

It is also not disputed that the sale notices impugned in the present contempt proceedings have not culminated into any successful auction sale, as admittedly no bidders participated in the auction proceedings.

In the aforesaid circumstances, this Court is of the considered opinion that no case of wilful or deliberate disobedience of the order passed by the writ Court is made out warranting continuation of the present contempt proceedings. The parties shall remain at liberty to pursue their respective remedies before the Debts Recovery Tribunal in accordance with law.

Accordingly, finding no further direction necessary to be passed in the present contempt petition, the same is **disposed of**.

Rule stands discharged.

Pending application(s), if any, shall also stand disposed of.

May 11, 2026
Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No
Whether Reportable Yes / No