

Sl. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No.2494 of 2025 <u>Hon'ble Pankaj Purohit, J.</u> Mr. Siddhartha Jain, learned counsel for the petitioner.</p> <p>2. By means of present writ petition, petitioner has prayed for a direction for quashing the impugned order dated 28.05.2025, passed by Permanent Lok Adalat, Dehradun in Case No.105 of 2025, <i>Sunil Yadav vs. Punjab National Bank & Others</i>, by which, the Permanent Lok Adalat has stayed the e-auction initiated by the petitioner-bank.</p> <p>3. It is contended by the learned counsel for the petitioner-bank that, in view of Section 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'the SARFAESI Act'), the Permanent Lok Adalat has no jurisdiction to entertain the proceedings or to pass any injunction in favour of the respondent, as the matter is triable by the Debts Recovery Tribunal and the Appellate Tribunal under the said provisions. The provisions of Section 34 of the SARFAESI Act are quoted hereinbelow:</p> <p style="text-align: center;">“34. Civil court not to have jurisdiction.- No Civil Court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which a Debts Recovery Tribunal or the Appellate Tribunal is empowered by or under this Act to determine and no injunction shall be granted by any Court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act or under the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (51 of 1993).”</p> <p>4. Learned counsel for the petitioner further submits</p>

that, even on the ground of pecuniary jurisdiction, the Permanent Lok Adalat cannot entertain Case No. 105 of 2025, inasmuch as its pecuniary jurisdiction is limited to Rs. 1 crore, whereas the amount involved in the present case is Rs. 3,68,35,000/-."

5. *Prima facie*, this Court is satisfied with the submissions made by learned counsel for the petitioner-bank.

6. Issue notice to the respondents, returnable within six weeks.

7. Steps be taken within seven days.

8. List on 18.11.2025.

9. In between, respondents may file the counter affidavit.

10. Till the next date of listing, the impugned order dated 28.05.2025, passed by Permanent Lok Adalat, Dehradun as well as the entire proceedings of Case No.105 of 2025, *Sunil Yadav vs. Punjab National Bank & others*, shall remain stayed.

11. Stay application (IA No.01/2025) stands disposed of accordingly.

(Pankaj Purohit, J.)
28.08.2025