

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.28204/2026

[Arising out of impugned final judgment and order dated 07-08-2026 in WP No.9741/2026 passed by the High Court of Judicature at Bombay]

SURESH NATHALAL DODIA & ANR.

Petitioners

VERSUS

PUNJAB NATIONAL BANK & ORS.

Respondents

I.A. No.239077/2026-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

I.A. No.239078/2026-EXEMPTION FROM FILING O.T.

I.A. No.239074/2026-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 13-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SHEEL NAGU

For Petitioner(s) : Mr. S. Niranjan Reddy, Sr. Adv.
Ms. Bhabna Das, AOR
Ms. Palak Arora, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. The Division Bench of the High Court of Judicature at Bombay¹ by the impugned order dated 07th August, 2026 has directed possession of the secured asset to be made over to the secured creditor – Punjab National Bank – on 17th August, 2026, in pursuance of the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002².

2. Grievance of the petitioners – borrowers – is that the said order under

¹ High Court

² SARFAESI Act

Section 14 of the SARFAESI Act is the subject-matter of challenge in a pending application under Section 17 thereof before the Debts Recovery Tribunal³.

3. According to Mr. S. Niranjan Reddy, learned senior counsel, the secured creditor, without waiting for the order to be passed on the application under Section 17 of the SARFAESI Act, has obtained an order which operates to the serious detriment and prejudice of the petitioners.

4. We find no stay having been granted by the DRT on the application under Section 17 of the SARFAESI Act.

5. In such view of the matter, there was no bar for the secured creditor to move the High Court for obtaining an order for police assistance to be accorded to implement the order under Section 14 of the SARFAESI Act.

6. We see no reason to interfere with the impugned judgment and order of the High Court; hence, the special leave petition stands dismissed.

7. However, we make it clear that the application under Section 17 of the SARFAESI Act before the DRT shall be decided on its own merits and without being influenced by reason of possession having been taken over in terms of the High Court's order, if at all.

8. Pending applications, if any, shall stand disposed of.

(MANIK KUMAR)
SENIOR PERSONAL ASSISTANT

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

³ DRT