

Court No. - 3

Case :- WRIT - C No. - 25228 of 2023

Petitioner :- M/S Saniya Auto

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Mirza Faheem Beg

Counsel for Respondent :- CSC, Amrish Sahai

Hon'ble Siddhartha Varma, J.

Hon'ble Manoj Bajaj, J.

1. Instructions filed today be kept on record.
2. Sri Amrish Sahai, learned counsel appearing for the Bank has informed the Court that the property in question had been sold in auction on 25.10.2021 and a sale certificate had also been issued.
3. The petitioner in reply submits that he had no notice of the proceedings initiated under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the SARFAESI Act).
4. Since the proceedings under the SARFAESI Act have been initiated as per the law laid down in the **Celir LLP vs. Bafna Motor (Mumbai) Pvt. Ltd. & Ors. (Civil Appeal Nos. 5542-5543 of 2023 decided on 21.09.2023)**, we refrain from interfering in the instant writ petition. However, it shall always be open for the petitioner to take recourse to such provisions as are provided under the SARFAESI Act.
5. With these observations, the writ petition is accordingly, **dismissed**.

Order Date :- 17.10.2023

M.S. Ansari

(Manoj Bajaj, J.) (Siddhartha Varma, J.)