

**Court No. - 39**

**Case :-** WRIT - C No. - 39007 of 2023

**Petitioner :-** Sanjay Bhati And Another

**Respondent :-** State Of U.P. And 3 Others

**Counsel for Petitioner :-** Rohit Nandan Pandey

**Counsel for Respondent :-** CSC, Atul Tej Kulshrestha

**Hon'ble Saumitra Dayal Singh, J.**

**Hon'ble Shiv Shanker Prasad, J.**

1. Matter arises out of SARFAESI Act No. 54 of 2002.
2. The notice under Section 13(2) is described to have been served through registered post.
3. Prima facie, we are satisfied that the petitioner has adequate remedy of appeal before the Debt Recovery Tribunal.
4. In face of such remedy available, upon objection raised by learned counsel for the Bank, interference claimed is declined. If the appeal remedy is sought within a period of one week from today, the same may be treated to have been filed within time and may be dealt with on its own merits.
5. With the above observations, the writ petition is disposed of.

**Order Date :-** 5.12.2023

SK Srivastava

(Shiv Shanker Prasad, J.) . . . (S.D. Singh, J.)