

Court No. - 3

Case :- WRIT - C No. - 39685 of 2023

Petitioner :- Vijay Bahadur Singh

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- S.P. Vishwakarma, Shariq Shamim

Counsel for Respondent :- CSC, Sanjai Singh

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

1. The borrower when was being proceeded with under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, had approached the Debts Recovery Tribunal. The petitioner who is a co-sharer has contested the auction on the basis of the fact that the proceeding under Section 116 of the U.P. Revenue Code, 2006 was pending.
2. The Court finds that instead of informing the Debts Recovery Tribunal in the pending Securitization Application, the petitioner has erroneously approached this Court.
3. No interference is warranted.
4. The petitioner, if he is so advised, may approach the Debts Recovery Tribunal and raise his grievance there.
5. With these observations, the writ petition is, accordingly, dismissed.

Order Date :- 22.11.2023

PK

(Shekhar B. Saraf, J.) (Siddhartha Varma, J.)