

Court No. - 3

Case :- WRIT - C No. - 40300 of 2023

Petitioner :- Sita Ram

Respondent :- Punjab National Bank And 2 Others

Counsel for Petitioner :- Ashish Goyal

Counsel for Respondent :- CSC, Sanjai Singh

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

1. Heard learned counsel for the petitioner, Sri J.S. Pandey, Advocate holding brief of Sri Sanjai Singh, learned counsel for the Bank and learned Standing Counsel.
2. It has been stated by the learned counsel for the Bank that the property in dispute has been sold in the auction after the proceedings were initiated under Section 13 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the SARFAESI Act). He, therefore, states that as per the law laid down in the judgment of the Supreme Court in **Celir LLP vs. Bafna Motor (Mumbai) Pvt. Ltd. & Ors.** (Civil Appeal Nos.5542-5543 of 2023 decided on 21.9.2023), no interference can be made by this Court.
3. Under such circumstances, no interference is warranted. If the petitioner is so advised, he can approach the Debt Recovery Tribunal under Section 17 of the SARFAESI Act.
4. The writ petition is disposed of.

Order Date :- 23.11.2023

Rakesh