

IN THE HIGH COURT OF PUNJAB AND HARYANA, AT CHANDIGARH

CWP No.11187 of 2015 (O&M)

Date of Decision : 28.5.2015

Shiv Kumar Garg

..Petitioner

Vs.

Managing Director and others

..Respondents

**CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present : Mr. K.S.Hissowal, Advocate for the petitioner.

Hemant Gupta, J.(Oral)

The petitioner has filed the present writ petition challenging action under The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act').

The petitioner has not disclosed the date of issuance of notice under Section 13(2) of the Act or 13(4) of the Act but during the course of hearing, learned counsel for the petitioner has handed over a notice of possession dated 22.5.2015. A perusal of notice shows that notice under Section 13(2) of the Act was issued to the petitioner on 26.2.2014. The petitioner has not filed any Objections to such notice. Therefore, the Bank has issued notice under Section 13(4) of the Act on 22.5.2015. The petitioner has not availed the alternative statutory remedy under Section 17

of the Act before the Debt Recovery Tribunal.

In view thereof, we do not find any reason to interfere in the writ jurisdiction of this Court at this stage.

Dismissed.

(Hemant Gupta)
Judge

(Harinder Singh Sidhu)
Judge

28.5.2015

Meenu