

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 43032 of 2016

ORDER: (*Per VRS,J*)

The petitioners have come up with the above writ petition, challenging a possession notice issued under the SARFAESI Act, 2002.

2. Heard Mr. Swaroop Oorilla, learned counsel for the petitioners.

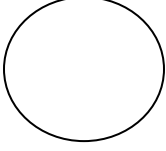
3. As against the possession notice, the petitioners are entitled to move an appeal under Section 17. There is no reason why the petitioners should bypass the alternative remedy of appeal. As a matter of fact, the Debts Recovery Tribunal was not functioning till 03.11.2016. But, a Presiding Officer has taken over charge on 03.11.2016. Therefore, leaving it open to the petitioners to move the Tribunal, the Writ Petition is dismissed.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed. No order as to costs.

V. RAMASUBRAMANIAN, J

G. SHYAM PRASAD, J

9th December, 2016
cbs



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AND
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Writ Petition No. 43032 of 2016
(dismissed)

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