

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

THE HON'BLE SRI JUSTICE G. SHYAM PRASAD

WRIT PETITION No. 42972 of 2016

ORDER: (*Per VRS,J*)

The petitioner has come up with the above writ petition, challenging an auction sale notice issued under the SARFAESI Act, 2002.

2. Heard Mr. S. Sreenivasa Sarma, learned counsel for the petitioner.

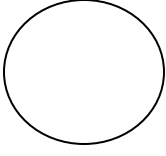
3. As against the auction sale notice, the petitioner is entitled to move an appeal under Section 17. There is no reason why the petitioner should bypass the alternative remedy of appeal. As a matter of fact, the Debts Recovery Tribunal was not functioning till 03.11.2016. But, a Presiding Officer has taken over charge on 03.11.2016. Therefore, leaving it open to the petitioner 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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Writ Petition No. 42972 of 2016
(dismissed)

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