

THE HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 42348 of 2016

ORDER: (*Per VRS,J*)

The petitioner has come up with the above writ petition, challenging a possession notice issued under Section 13(4) of the SARFAESI Act, 2002.

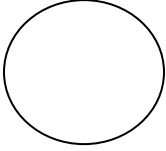
2. Heard Mr. M. Saleem, learned counsel for the petitioner.
3. Till the 1st week of November 2016, there was no Presiding Officer for the Debts Recovery Tribunal. But from 03.11.2016, a Presiding Officer has taken over charge. This is not a fit case for allowing the petitioner to bypass the statutory alternative remedy available under Section 17 of the SARFAESI Act, 2002. Therefore, giving liberty to the petitioner to move the Tribunal, the Writ Petition is dismissed. If the petitioner has filed the original notice, the same shall be returned to him to enable him to approach the Tribunal.

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

V. RAMASUBRAMANIAN, J

U. DURGA PRASAD RAO, J.

6th December, 2016
cbs



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THE HON'BLE SRI JUSTICE U. DURGA PRASAD RAO



Writ Petition No.42348 of 2016
(dismissed)

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