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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4314/2016**

KANCHAN KUMAR Petitioner
Through Mr.Prashant Katara, Mr.Neeraj
Dubey, Advs.

versus

PUNJAB AND SIND BANK AND ORS Respondent
Through Ms.Saahila Lamba, Adv. for R-1.

CORAM:
HON'BLE MR. JUSTICE PRADEEP NANDRAJOG
HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER
13.05.2016

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CM 18155/2016

Exemption allowed subject to just exceptions.

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1. The petitioner has not resorted to remedy available under SARFAESI 2002.
2. If the averments in the writ petition are correct, it would mean that the property of the petitioner, as per claim of the petitioner, is not a mortgaged property and therefore cannot be proceeded under SARFAESI 2002. This would mean that the petitioner would be a person aggrieved by the measure adopted by the bank under Section 13(4) of SARFAESI 2002.
3. Therefore, we decline to entertain the writ petition because of an efficacious alternative remedy available to the petitioner.

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4. The petition is accordingly dismissed.
5. No cost.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

MAY 13, 2016 /‘ga’