

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1 WRIT PETITION NO. 9186 OF 2017

BHARATI DAGDU GADHE
VERSUS
THE AUTHORIZED OFFICER THE PACHORA PEOPLES CO OP BANK LTD
AND ANOTHER

...
Advocate for Petitioner : Mr. Patil Paresh B.

...

**CORAM : S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**
DATE : 18.07.2017.

P.C. :-

. Mentioned. Not on board.

2. This petition challenges a notice under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for Short the 'SARFAESI Act').

3. It has been held and repeatedly following the judgment of the Supreme Court in the case of **United Bank of India V/s. Satyawati Tondon & Ors.** reported in **AIR 2010 SC 3413**, that a writ petition to challenge this notice under Section 13(2) does not lie in the scheme of the Act.

4. When this legal position was brought to the notice of the

petitioner's Advocate, he submits that reserving the liberty to proceed with the appeal under Section 17 of the SARFAESI Act, this petition may be disposed of. In view of this statement and finding that there is an alternate and equally efficacious remedy of appeal, this writ petition is disposed of.

[MANGESH S. PATIL, J.]

[S.C. DHARMADHIKARI, J.]