

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**C.W.P No. 24069 of 2017 (O&M)
Date of Decision : 25.10.2017**

Jai Shiv Works

... Petitioner

versus

Oriental Bank of Commerce & Anr.

... Respondents

**CORAM : HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present : Mr. Anil Chawla, Advocate, for the petitioner.

RAJESH BINDAL, J.

The petitioner has approached this Court with a prayer that the respondents be directed to decide the objections dated 04.09.2017 (Annexure P/4) filed by the petitioner in pursuance to notice under Section 13(2) of the SARFAESI Act, 2002 (for short, 'the Act')

The objections were filed by the petitioner through counsel in terms of Rule 3-A of the Security Interest (Enforcement) Rules 2002 (for short 'the Rules'), whereby an authorised officer of the bank is to consider the objections. Authorised officer has been defined in Rule 2(a) of the Rules, which means a Chief Manager or any officer of the bank equivalent thereto.

In the reply to the objections, which the petitioner had sent to the notice under Section 13(2) of the Act, it has been mentioned that the reply is being given on instructions of Vipin Aggarwal, Chief Manager of the Bank.

Hence, it cannot be said that objections were not considered by

an authorised officer. As far as merits of the case are concerned, we do not

find any reason to entertain this petition at this stage as the petitioner has alternative remedy to raise his grievance.

Accordingly, the petition is dismissed.

(RAJESH BINDAL)
JUDGE

(GURVINDER SINGH GILL)
JUDGE

October 25, 2017
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Whether speaking/reasoned – Yes/No
Whether reportable – Yes/No