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

+ FAO(OS) 181/2017 and CM Nos.21636-37/2017

GOPAL SINGH HANOT Appellant
Through : Mr. R.S. Rathi, Adv.

versus

VIJAY SINGH HANOT & ORS Respondents
Through : None.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
30.05.2017

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1. This appeal assails an order dated 26th May, 2017 passed in I.A.No.6582/2017 in CS(OS)No.2270/2013 whereby the Id. Single Judge has rejected the appellant's/petitioner's prayer for grant of injunction against UCO Bank impugning the action taken by it under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act). The court has noted that the remedy of appeal is available to the appellant against the order of the Recovery Officer dismissing the appellant's application under Section 17 of the SARFAESI Act.

2. It may be noted that the suit bearing CS(OS)No.2270/2013

was filed by the plaintiff seeking partition of his half share in property which was the subject matter of the suit.

The order of the Id. Single Judge is in consonance not only with the statutory provisions but also with the pronouncement of the Supreme Court reported at **(2014) 1 SCC 479, Jagdish Singh v. Heeralal & Ors..**

3. We therefore, find no infirmity in the impugned judgment. This appeal as well as applications are dismissed.

4. It is made clear that neither the order of the Id. Single Judge nor this order expresses any opinion on the merits of the appellant's contentions.

Dasti under the signatures of Court Master.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

MAY 30, 2017

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