

\$~57

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7224/2017 and C.M. No.29936/2017, C.M. No.29937/2017

NAVJOT KAUR CHEEMA

..... Petitioner

Through: Mr S.S. Behal

versus

STATE BANK OF INDIA & ORS

..... Respondents

Through: Mr Rajiv Kapur, Adv for SBI

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

21.08.2017

Petitioner is aggrieved by the order dated 24.05.2017 which is an order passed by the CMM, Delhi in a petition under Section 14 of the SARFAESI Act (Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002) which has been filed by the State Bank of India. Orders were passed against the mortgaged property of the petitioner. Petitioner is aggrieved; submission is that this is the only residential property available with the petitioner; no notice under Section 13(4) of the said Act had been received by the petitioner. She had filed the appropriate proceedings before DRT, Chandigarh but her petition had been dismissed on 15.06.2017. She has filed an appeal before the DRAT which is yet pending adjudication.

At the outset, learned counsel for the respondent bank has

raised an objection on the jurisdiction of this court; submission is that the matter is already subjudice before the DRAT and this court should not entertain this petition. This court endorses this submission; but noting the contention of the petitioner that the petitioner has been arrayed in the capacity of a guarantor and aforementioned property is the only residential property where the petitioner is residing, for the next two weeks no coercive steps be taken against the petitioner; petitioner is hopeful that in this intervening period her appeal shall be decided by the DRAT. No further orders are called for in the present petition.

Petition disposed of.

Dasti under the signatures of the Court Master.

INDERMEET KAUR, J

AUGUST 21, 2017
SU