

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.14772 of 2018.

Date of Decision: June 01, 2018

Nishant Verma

.....Petitioner

versus

Authorized Officer/Chief Manager, Dena Bank and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Gursimran Singh Madaan, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner claims himself to be a tenant in the property which has been mortgaged by the borrower in favour of the respondent-bank. The possession of the mortgaged property is sought to be taken by the bank pursuant to the order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The petitioner firstly got injunction from the Civil Court and has now filed the instant writ petition. The Civil Court decree reveals that the suit was *prima-facie* collusive in nature as the borrower admitted the claim of the petitioner as tenant.

Be that as it may, in view of Section 17(4A) of the 2002 Act, the petitioner has got an efficacious alternative remedy to approach the Debts Recovery Tribunal.

With liberty aforementioned, the writ petition stands disposed of.

[SURYA KANT]
JUDGE

June 01, 2018

mohinder

[SHEKHER DHAWAN]
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether Reportable

:

Yes/No