

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

CWP-23291-2018
Date of decision: 19.11.2018

Surjit Singh & anr.

.... Petitioner

Versus

Authorised Officer, Kotak Mahindra Bank,
Ludhiana & another

.... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Sahil Khunger, Advocate for the petitioners.

Mr. D.K.Singal, Advocate
for respondents No.1 & 2.

Mr. P.S.Miglani, Advocate for respondent No.4.

Ajay Kumar Mittal, J.(Oral)

Petitioners have approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing the action initiated by respondent-bank under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'the Act') in respect of proceedings under Section 14 of the Act.

2. It was not disputed that the order dated 15.03.2018 (Annexure P-3) passed by District Magistrate, Ludhiana under Section 14 of the Act can be challenged by the petitioners by way of application under Section 17 of the Act.

3. Admittedly, on 17.09.2018, the petitioners produced a demand draft of ₹ 2,40,000/- , which was returned to the petitioners with a direction to deposit the same with the respondent-bank but the same was not

deposited with the bank for the reasons best known to the petitioners themselves.

4. In these circumstances, we do not find ground to entertain this writ petition and dismiss the same. However, it shall be open to the petitioners to take recourse to the remedies as may be, available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

19.11.2018
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No