

HONOURABLE SRI JUSTICE SANJAY KUMAR
AND
HONOURABLE SRI JUSTICE P.KESHAVA RAO

WRIT PETITION No.13873 of 2019

ORDER: *(per Hon'ble Sri Justice Sanjay Kumar)*

The petitioner seeks to assail the e-auction sale notice dated 29.5.2019 issued by the State Bank of India, Hoskote SME, Bangalore, under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, and the Rules framed thereunder, proposing to hold the auction sale of one secured asset on 10.7.2019.

Perusal of the record reflects that the petitioner already approached the jurisdictional Debts Recovery Tribunal by way of Securitization Application No.275 of 2018. That apart, when the petitioner sought to challenge the earlier auction sale notice issued by the respondent Bank by way of Writ Petition No.39508 of 2018, the said Writ Petition was dismissed on 05.11.2018 leaving it open to the petitioner to approach the jurisdictional Debts Recovery Tribunal, duly taking note of the fact that S.A.No.275 of 2018 was already filed by it.

In that view of the matter, we find no reason to take a different view. It is not open to the petitioner to once again come before this Court. If it has any grievance against the subsequent sale notice, it must necessarily raise the issue before the Tribunal concerned.

The Writ Petition is accordingly dismissed on this short ground

leaving it open to the petitioner to work out its remedies in accordance with law before the Tribunal.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE P.KESHAVA RAO

09th July, 2019
dr

