

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

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**CWP-2245-2019 (O&M)
Date of Decision : 29.01.2019**

Harsan Rajdeep Singh and another

...Petitioners

Versus

Debt Recovery Tribunal-III and others

...Respondents

**CORAM:HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Ramandeep, Advocate for the petitioners.

AJAY KUMAR MITTAL, J.(ORAL)

The petitioners have approached this court under Articles 226/227 of the Constitution of India for issuance of a writ/direction order in the nature of certiorari quashing the order dated 07.01.2019 (Annexure P-7) passed by respondent No.1.

2. Perusal of the writ petition shows that petitioners have approached this court without availing alternative remedy of appeal under Section 18 of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short 'the Act').

3. The Apex Court in “***United Bank of India Vs. Satyawati Tondon and others (2010) 8 SCC 110***”, held as under:-

“It is a matter of serious concern that despite repeated pronouncement of this Court, the High Courts continue to ignore the availability of statutory remedies under the DRT Act and SARFAESI Act and exercise jurisdiction under Article 226 for passing orders which have serious adverse impact on the

right of banks and other financial institutions to recover their dues”.

4. In view of above, we are not inclined to entertain the present writ petition and the same is hereby dismissed by relegating the petitioners to take recourse to the alternative remedy as may be available to them in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

29.01.2019

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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No