

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

**CWP No. 3876 of 2019
Decided on : 13.02.2019**

M/s Sangam Poultry Feed Mills

... Petitioner(s)

Versus

Canara Bank

... Respondent(s)

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

PRESENT: Mr. Deepak, Advocate for
Mr. Rohit Mittal, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of the order dated 16.03.2018 (Annexure P-1), passed by the District Magistrate, Mohindergarh.

2. It was not disputed that application under Section 17 of the of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act') is maintainable to challenge the order passed under Section 14 of the SARFAESI Act as held in *Kanaiyalal Lalchand Sachdev and others v. State of Maharashtra and others*, (2011) 2 SCC 782.

3. In view the above, as certain facts are required to be established, we dispose of the present writ petition by relegating the petitioner to avail the aforesaid alternative remedy by approaching the Debts Recovery Tribunal under Section 17 of the SARFAESI Act, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(MANJARI NEHRU KAUL)
JUDGE**

February 13, 2019

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No