

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

CWP-6888-2019

Decided on:14.03.2019

M/s. Nangli Alloys and others

.... Petitioners

Versus

UCO Bank and another

..... Respondents

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

Present: Mr. G.C. Dhuriwala, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J (ORAL)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India, inter alia, for issuance of a writ in the nature of Certiorari for quashing the auction notice dated 10.02.2019 (Annexure P-2) issued by the respondent-bank.

2. It could not be disputed that an alternative remedy is available to the petitioners under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act').

3. It has been laid down by the Apex Court in *United Bank of India vs. Satyawati Tondon and ors., 2010(8) SCC 110* that the High Court ordinarily should not exercise its jurisdiction under Articles 226/227 of the Constitution where an alternative remedy is available to the petitioner under the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002.

4. Accordingly, the writ petition is disposed of by relegating the petitioners to take recourse to alternative remedy as is, available to it, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(MANJARI NEHRU KAUL)
JUDGE**

14.03.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No