

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

115

CWP-9963-2019

Date of decision : 12.04.2019

Prabhjot Kaur

..... Petitioner

VS

State of Punjab and others

..... Respondents

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

Present: Petitioner in person.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 read with Articles 14 and 16 of the Constitution of India, inter alia, for quashing the impugned possession warrant No. 594 Peshi/P.C.3 dated 21.05.2018 (Annexure P-9) passed by respondent No.2 under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. It was not disputed that an application under Section 17 of the Act is maintainable to challenge the order passed under Section 14 of the Act as held in **Kanaiyalal Lalchand Sachdev and others v. State of Maharashtra and others, (2011) 2 SCC 782.**

3. In view of 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

12.04.2019

anju

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No