

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

145

**CWP No.11265 of 2019
Decided on : 01.05.2019**

M/s B Line Knit (India)

. . . Petitioner

Versus

Canara Bank and another

. . . Respondents

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

Present: Mr. D.S. Sandhu, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution, *inter alia*, seeking quashing of the impugned notice dated 25.03.2019 (**Annexure P-3**), under Section 14(1A) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the Act'), vide which the warrant of possession has been issued by the District Magistrate, Ludhiana-respondent No.2.

2. It could not be disputed that application under Section 17 of the Act is maintainable against the notice dated 25.03.2019 (Annexure P-3) before the Debts Recovery Tribunal having jurisdiction in the matter in view of the judgment of the Apex Court rendered in ***Kanaiyalal Lalchand Sachdev and others vs. State of Maharashtra and others***, (2011) 2 SCC 782.

3. In such a situation and keeping in view the above, as certain facts are required to be established, we refrain ourselves from entertaining the petition and relegate the petitioner to avail the alternative remedy, in accordance with law.

4. Dismissed.

**(AJAY KUMAR MITTAL)
JUDGE**

**(MANJARI NEHRU KAUL)
JUDGE**

May 01, 2019
sonia gugnani

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No