

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 21041 of 2019
Date of Decision: 02.09.2019

RAHUL AND OTHERS *Petitioners*
STATE BANK OF INDIA AND OTHERS *Respondents*
V/s.

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI.

Present: Mr. Anuj Balian, Advocates
for the petitioners.

RAKESH KUMAR JAIN, J. (Oral)

The petitioners are stated to be the tenants in the property in dispute. They had allegedly taken the premises on rent after executing rent deed on 11.10.2018.

As per section 17(4A) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short “the Act”), the petitioners have to approach the Debts Recovery Tribunal (DRT) which has the jurisdiction to examine the issue in regard to the tenancy or lease.

In view of the aforesaid observations, we do not intend to interfere in this petition as the petitioners have the statutory remedy before the DRT. This petition is, thus, dismissed.

On the request of learned counsel for the petitioners a period of one month is granted to avail the aforesaid remedy.

[RAKESH KUMAR JAIN]
JUDGE

September 2, 2019
Ess Kay

[ARUN KUMAR TYAGI]
JUDGE

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No