

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

CWP-36229-2019

Date of Decision: 13.12.2019

Raj Kumar Chaudhary

. Petitioner

Vs.

State Bank of India

. Respondent

**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MRS.JUSTICE ALKA SARIN**

Present: - Mr.Sanjiv Gupta KKR, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

Counsel for the petitioner prays for withdrawal of the petition to assail the validity of the notice issued under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 [for short 'the Act']. However, he has prayed that in case an application for stay is also filed, the same may also be directed to consider by the Tribunal.

While disposing of the writ petition as not maintainable in the presence of the statutory remedy under Section 17 of the Act, we allow the petitioner to file the securitization application along with an application for stay. In case, any such application along with an application for stay is filed within one week from today, the Tribunal shall consider the application for stay within one week thereafter.

**(RAKESH KUMAR JAIN)
JUDGE**

**(ALKA SARIN)
JUDGE**

13.12.2019

Vivek

Whether speaking /reasoned : Yes/No
Whether Reportable : Yes/No