

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1888 of 2020

1. Sunny Relwani, S/o Late Manna Relwani, Aged About 32 Years, R/o In Front Railway Ward No. 9, Block - Bilha, District : Bilaspur, Chhattisgarh

---- Petitioner

Versus

1. Branch Manager, A U Bank Finance Bank Limited, Block - Bilha, District : Bilaspur, Chhattisgarh
2. A U Bank Finance Bank Limited, Registered Off., 19 - A, Duleshawar Garden, Ajmer Road, Jaipur (Rajasthan), District : Jaipur, Rajasthan
3. Debts Recovery Tribunal, Jabalpur (D R T Jabalpur), R/o Shanti Kunj, H. No. - II, 2nd Floor, South Civil Lines, Jabalpur.

---Respondents

For Petitioner	:	Ms. Anjali S. Chouhan, Advocate.
For Respondents	:	None.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

31.08.2020

1. The challenge in the present writ petition is to the notice dated 29.07.2020 (Annexure P-9) issued by the respondent-bank u/s 13 (4) of the SARFAESI Act, 2002.
2. Since the SARFAESI Act, 2002 itself envisages a remedy to persons against whom notice u/s 13 (4) has been issued and that is to move an appropriate application before the DRT to challenge the notice. This Court is of the firm view that the writ petition is not maintainable and the said writ petition deserves to be rejected on this ground

alone. Reserving the right of the petitioner, for approaching the DRT for redressal of his grievance, against the impugned notice dated 29.07.2020.

3. With the aforesaid liberty, the present writ petition stands disposed off as not maintainable.

Sd/-
(P. Sam Koshy)
Judge

Rahul