

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

107

CWP No.21649 of 2020
Decided on 16.12.2020

Vijay Parkash Upadhyay and anotherPetitioners

VERSUS

ICICI Bank Limited and anotherRespondents

**CORAM : HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

PRESENT:-Mr.Ramesh Hooda, Advocate, for the petitioners.

AJAY TEWARI, J. (ORAL)

This petition has been filed challenging the notice dated 26.11.2011 (Annexure P-2) issued under Section 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act, 2002).

Brief facts of the case are that petitioner had obtained the loan of Rs.7 Lakh in the year 2004. He kept making payment for 4 years and had paid a sum of Rs.5,81,700/- till 9th May, 2008. Thereafter, he did not make a single payment. He has now challenged the notice dated 26.11.2011 (Annexure P-2). During this period, he has also filed a consumer complaint.

Learned counsel states that the bank loan has swelled to unrealistic proportions. We are afraid that we cannot help the petitioner unless he can make the payment of a substantial amount. Learned counsel is unable to make any offer.

In view of the above, we do not find any reason to interfere in the writ jurisdiction and dismiss the same with liberty to the petitioner to avail alternative remedy as available under law.

**(AJAY TEWARI)
JUDGE**

**(RAJESH BHARDWAJ)
JUDGE**

**16.12.2020
anil**

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>