

CWP-1912-2021

Date of Decision: 28.01.2021

Amarjit Singh Bedi

...Petitioner

Versus

District Magistrate cum Deputy Collector and others

...Respondents

CORAM : HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

(Proceedings through Video Conferencing)

Present: Mr. Inderjit Singh Luthra, Advocate
for the petitioner. .

AUGUSTINE GEORGE MASIH, J (ORAL)

Petitioner has approached this Court challenging the order dated 22.02.2019, Annexure P-5, passed by the Additional District Magistrate, Ludhiana accepting the application from the authorized officer Asset Reconstruction Company (India) Limited, respondent No.3 preferred under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI Act) and order dated 11.01.2021 (Annexure P-8) passed by the Tehsildar-cum-Executive Magistrate, Ludhiana (East), in pursuance to the said order. The assertion of the petitioner is that there is no due towards the petitioner and all the amount which was taken as loan along with interest has been repaid.

This Court has put a query to the counsel as to how the present writ petition could be entertained in light of the fact that the

petitioner has statutory remedy as provided under Section 17 of the SARFAESI Act, 2002, before the Debt Recovery Tribunal, to which the counsel for the petitioner has no reply.

In light of the above, the present writ petition is disposed of with liberty to the petitioner to avail all his statutory remedy as provided under the SARFAESI Act, 2002.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

January 28, 2021
Manpreet

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No