

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(104)

CWP-8180-2021
DATE OF DECISION : 30.04.2021

RAKESH JAIN

...PETITIONER

VERSUS

ICICI BANK AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. D.S.Khurana, Advocate with
Mr. Vipul Babuta, Advocate for the petitioner.

Mr. Sandeep Suri, Advocate
for the respondents.

(The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual Court).

Suvir Sehgal, J.

Instant petition has been filed seeking a writ in the nature of mandamus directing the respondents to take appropriate action for the redressal of the grievances of the petitioner raised vide letters dated 21.11.2020 (Annexure P-8) and 04.12.2020 (Annexure P-1).

The petitioner has averred that action has been initiated by the respondents under Section 13 (2) and 13 (4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

In view of the decisions of the Supreme Court rendered in Authorized Officer, State Bank of Travancore and another versus Mathew K.C. 2018 (3) SCC 85 and ICICI Bank Limited and others versus Umakanta Mohapatra and others 2019 (13) SCC 497, the petition cannot be entertained at this stage as the petitioner has to approach the statutorily prescribed forum for redressal of his grievance.

In the circumstances, the petition is dismissed with liberty to the petitioner, if so advised, to avail of the statutory remedy available to him under the law.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(SUVIR SEHGAL)
JUDGE

30.04.2021
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Whether speaking/ reasoned	Yes/ No
Whether Reportable	Yes/ No