

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

**CWP-8271-2021 (O&M)
Date of decision: 12.04.2021**

MAX PACIFIC CORPORATION LIMITED

...Petitioner

Versus

DISTRICT MAGISTRATE GURGAON AND OTHERS

.....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL
HON'BLE MR. JUSTICE KARAMJIT SINGH**

Present:- Mr. Plash Mittal, Advocate for
Mr. Neeraj Jain, Advocate for the petitioner.

HARNARESH SINGH GILL, J.

Case is taken up for hearing through video conferencing.

Prayer in the present petition filed under Article 226/227 of the Constitution is for issuance of writ in the nature of mandamus/certiorari quashing the entire proceedings initiated by respondent No.2, under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (for short 'the Act'), pending before respondent No.1.

The petitioner alleges non-issuance of pre-requisite notices under Section 13(2) of the Act and challenges the very proceedings initiated by respondent No.2 before respondent No.1-District Magistrate, Gurgaon,

being not maintainable.

At the outset, learned counsel for the petitioner states that the present petition may be disposed of reserving liberty to the petitioner to approach The Debt Recovery Tribunal, for redressal of its grievances, in accordance with law.

In view of the above, without going into the pleas raised by the petitioner in the present petition, the present petition is disposed of with liberty to the petitioner to approach the Debts Recovery Tribunal, on or before 27.04.2021.

In the meantime, respondent No.1-District Magistrate, Gurgaon, is directed to adjourn the proceedings pending before him, beyond 27.04.2021.

(HARNARESH SINGH GILL)
JUDGE

(KARAMJIT SINGH)
JUDGE

12.04.2021
Mangal Singh

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