

CWP No.22152 of 2020

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

(PROCEEDINGS THROUGH V.C.)

CWP No.22152 of 2020

Date of Decision: 06.01.2021

K.G. Logistics and Warehousing & another

...Petitioners

Versus

Reserve Bank of India & others

...Respondents

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

Present: Ms. Puja Chopra, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioners have approached this Court praying for issuance of a writ of certiorari for setting aside the notice dated 23.10.2019 issued under Section 13(2) of SARFAESI Act, 2002 (Annexure P-7) along with subsequent and consequent proceedings taken under the SARFAESI Act and Rules, including the order dated 07.05.2020 passed under Section 14 of SARFAESI Act (Annexure P-10) and notice dated 24.11.2020 (Annexure P-11), whereby, Tehsildar-cum-Executive Magistrate, Ludhiana (West) has directed for handing over the physical possession of the mortgaged property.

In the light of the fact that remedy is available to the petitioners under the SARFAESI Act, they should have approached the said forum

instead of approaching this Court and in any case, this Court does not find it a fit case, where extraordinary writ jurisdiction should be invoked in the present matter.

The writ petition, therefore, stands dismissed with above observations.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

06.01.2021
Harish

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No