

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

114

**Civil Writ Petition 18407 of 2022
Date of Decision: August 22, 2022**

Roopa @ Rupa

...Petitioner

Versus

Aadhar Housing Finance Ltd. and another

... Respondents

**CORAM : HON'BLE MR. JUSTICE SURESHWAR THAKUR
HON'BLE MR. JUSTICE N.S.SHEKHAWAT**

Present : Mr. Neeraj Gupta, Advocate
for the petitioner.

SURESHWAR THAKUR, J. (Oral)

Though, after an Award being made by Debts Recovery Tribunal (in short, **the Tribunal**) concerned, the financial institution concerned, has accessed the Executing Officer concerned, through, a petition filed under Section 13(2) of the Securitization and Reconstruction of Financial Assets And Enforcement of Security Interest Act, 2002 (hereinafter referred to as '**the Act**'), and, also when the Executing Officer, is bound to enforce the Award, as, made by the Tribunal concerned, however, since Section 17 of the Act, does yet, permit, the aggrieved debtor to make a fresh application before the the Tribunal concerned, within 45 days from the date on which such measures have been initiated.

2. Consequently, this Court is of the firm view that the petitioner be permitted to recourse the remedy under Section 17 of the Act.

3. In sequel with the above, nothing survives in the petition, and the same is disposed of as such.
4. Liberty is yet reserved to the petitioner to re-access the appropriate jurisdiction, if yet an adverse order, is passed by the Tribunal, on the writ petitioner's application cast before it, under Section 17 of the Act.

(SURESHWAR THAKUR)

JUDGE

August 22, 2022
amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No