

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

CWP-1479-2023

Date of Decision: 25.01.2023

Sunita Rani

.....Petitioner(s)

Versus

Canara Bank and others

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Atul Sharma, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present writ petition filed under Article 226 of the Constitution of India has been raised to the sale notice by the guarantor of the mortgaged property regarding the loan given to respondent No.3. It is submitted that e-auction was to take place on 19.01.2023 and the same is stated to have already been conducted. The array of parties does not show the successful auction bidder. Counsel submits that he does not have the details of the said person.

Even otherwise, we are of the considered opinion that there is an alternative and efficacious remedy available and keeping in view the law laid down in *United Bank of India vs. Satyawati Tandon and others, (2010) 8 SCC 110*, we do not deem it appropriate to entertain the present petition and enter into the jurisdiction which is of the Tribunal. The petitioner, if so wishes to challenge the said notice, can avail his alternative remedy.

However, counsel for the petitioner requests that the details of the auction purchaser and the amounts for which the property has been auctioned be supplied as it is stated that the limitation is to expire for filing

the application before the Tribunal.

Mr. R.S. Bhatia, Advocate, on account of having advance copies, appears on behalf of the Canara Bank and undertakes that the needful shall be done within 2 days from today.

Writ petition stands disposed of with the above observations.

(G.S. SANDHAWALIA)
JUDGE

25.01.2023
shivani

(HARPREET KAUR JEEWAN)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No