

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-1676-2023 (O&M)
Date of decision: 20.02.2023

Amrinder Singh Cheema and another

... Petitioners

Vs.

Cholamandalam Investment and Finance Company Ltd. and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE SANJIV BERRY.**

Present:- Mr. Bhavyadeep Walia, Advocate for the petitioners.

Mr. Sahil Khunger, Advocate for respondent No.1.

TEJINDER SINGH DHINDSA, J. (ORAL).

Challenge in the instant petition is to the notice dated 07.06.2021 (Annexure P-9) issued under Section 13 (2) of the SARFAESI Act, 2002. Further challenge is to the notice dated 10.08.2022 (Annexure P-11) under Section 13(4) of the 2002 Act.

We have heard counsel for the petitioners and have perused the pleadings on record.

We are of the considered view that against the proceedings which are under challenge in the instant petition, petitioners have a remedy under Section 17 of the Act itself and which the petitioners ought to avail.

A reference in this regard may be made to the judgment of the Hon'ble Apex Court in ***United Bank of India Vs. Satyawati Tondon and others 2010 (8) SCC 110.***

In view of the above and without opining on the merits of the case, writ petition is disposed of in terms of granting liberty to the

petitioners to avail of their alternate remedy in accordance with law.

Disposed of

CM-3080-CWP-2023

This is an impleadment application. Since this Court is not interfering in the main writ petition.

No orders are required to be passed in the instant application as well.

Application disposed of.

Any other pending application(s) if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

20.02.2023
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No