

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

**CWP-2711-2023 (O&M)
Date of decision: 09.02.2023**

M/s Juneja Hardware and Scrap Store, Ludhiana

.... Petitioner

Vs.

UCO Bank, Ludhiana and others

.... Respondents

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

Present:- Mr. Vaibhav Sehgal, Advocate for the petitioner.

Mr. Nonish Kumar, Advocate for respondents No.1 and 2.

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioner has invoked the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India in terms of filing the instant petition assailing the SARFAESI proceedings initiated by the respondent-UCO Bank and which have finally culminated in the passing of the order under Section 14 of the Act by the District Magistrate, concerned.

Having heard counsel at length and having perused the pleadings on record, we are of the considered view that no interference in the present matter under Article 226 of the Constitution is made out.

It is by now well settled that a person who is aggrieved by the order of the District Magistrate can approach the Debt Recovery Tribunal under Section 17 of the SARFAESI Act. A reference in this regard may be made to the decision of the Division Bench of this Court in ***Allahabad Bank Vs. District Magistrate, Ludhiana and ors. 2021 (4) RCR (Civil) 571.***

In our considered view, petitioner ought to avail of the statutory remedy i.e.available under the Scheme of the SARFAESI Act itself.

In view of the above and while declining to interfere in the instant petition, writ petition is disposed of.

Liberty is granted to the petitioner to avail of remedies in accordance with law as also under the provisions of the SARFAESI Act.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

09.02.2023
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(I) Whether speaking/reasoned?	Yes/No
(II) Whether reportable?	Yes/No