

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(135)

CWP-6515-2023
Decided on : 13.04.2023

Malkiat Singh

.....Petitioner(s)

Versus

Punjab National Bank & others

.....Respondent(s)

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

Present: Mr.Deepak Arora, Advocate, for the petitioner (s).

G.S. Sandhawalia, J. (Oral)

1. Challenge in the present writ petition, filed under Article 226/227 of the Constitution of India is to the notice issued under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Security Interest Act, 2002 (for short, the 'Act') dated 11.11.2020 (Annexure P-4).

2. A perusal of the same would go on to show that Rs.38,77,020.10 was due as on 01.11.2019. It is also apparent that it is not the first time the petitioner has approached this Court. Earlier CWP-22597-2021 was dismissed for non-prosecution on 01.04.2022 (Annexure P-5) as the earlier order dated 04.03.2022 was not complied with. It is also not disputed that the auction has taken place on 24.03.2023 and resultantly, we are of the considered opinion that even for non-joinder of necessary parties, the petition is not maintainable.

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3. Resultantly, keeping in view the fact that there is an alternate and efficacious remedy available against all the measures taken under the Act, the petitioner is relegated before the Tribunal for availing his alternative remedy under Section 17 of the Act.

(G.S. SANDHAWALIA)
JUDGE

(HARPREET KAUR JEEWAN)
JUDGE

13.04.2023
Sailesh

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