

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

2023:PHHC:056546-DB
CWP No. 6834 of 2023
Date of Decision: 21.04.2023

Raj Rani

.....Petitioner(s)

Versus

Bank of Baroda

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Nitesh Singhi, Advocate, for the petitioner.

Mr. KPS Dhillon, Advocate, for the respondent-Bank.

G.S.SANDHAWALIA, J. (Oral)

1. Challenge in the present writ petition filed under Articles 226 and 227 of the Constitution of India is to the notice of sale dated 03.03.2023 (Annexure P-15) for recovery of Rs.36,31,806.90/- due on 29.02.2020.

2. Apparently, the petitioner has also filed a securitization application bearing S.A. No. 21 of 2021, which was in pursuance of the earlier writ petition filed i.e. ***CWP No. 2737 of 2021, Raj Rani vs. Bank of Baroda and others*** decided on 27.04.2021 (Annexure P-4) and the petitioner was relegated to avail his alternative legal remedy.

3. In such circumstances, since the matter is already pending before the Tribunal and we are informed that the auction as such did not fructify, the present writ petition would not be maintainable as a new front cannot be allowed to be opened up once the petitioner has availed of her efficacious remedy.

4. Accordingly, the petition stands dismissed. If the petitioner wishes to settle the matter, it is always open to her to approach the Tribunal by putting down in black and white the terms of payment.

(G.S. SANDHAWALIA)
JUDGE

21.04.2023

shivani

(SANJIV BERRY)
JUDGE

Whether reasoned/speaking

Yes

Whether reportable

No