

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

112

2023:PHHC:052904-DB

CWP No. 19087 of 2022
Date of Decision: 17.04.2023

Rajiv Kumar Lekhi

.....Petitioner(s)

Versus

State Bank of India and another

....Respondent(s)

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

Present: Mr. Naveen Bawa, Advocate,
for the petitioner.

Mr. Chandeeep Singh, Advocate,
for the respondent-Bank.

G.S.SANDHAWALIA, J. (Oral)

Counsel for the respondent-Bank has placed on record photocopy of the possession notice which was sent on 07.07.2020 and the claim was for Rs.44,32,284.76/- which was due on 27.04.2020.

Challenge in the present writ petition is to the notice dated 16.05.2022 (Annexure P-5) wherein, the Tehsildar-cum-Executive Magistrate, Ludhiana is implementing the order dated 09.09.2021 passed by the District Magistrate under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'the 2002 Act').

Keeping in view the above, we are of the considered opinion that the bank is seeking to recover its dues in accordance with law and, therefore, keeping in view the provisions of Section 17 of the 2002 Act, the petitioner has an efficacious and alternative remedy also available.

Accordingly, the petition stands disposed of as not maintainable.

(G.S. SANDHAWALIA)
JUDGE

17.04.2023

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Whether reasoned/speaking

Whether reportable

(HARPREET KAUR JEEWAN)
JUDGE

Yes

No