

2023:PHHC:103371-DB

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

131

CWP-17238-2023

Date of Decision: 09.08.2023

NEENA RANI

... Petitioner

VERSUS

AXIS BANK LTD AND ANOTHER

....Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

Present: Mr. P. P. S. Duggall, Advocate
for the petitioner.

Mr. D. K. Singal, Advocate
for the respondents.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for setting aside notice dated 17.04.2021 (Annexure P-4) under Section 13 (2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 and possession notice dated 27.06.2023 (Annexure P-5) under the SARFAESI Act issued by respondents.

2. Various arguments to substantiate the claim of the petitioner have been raised, however, we do not find it necessary to delve in the matter keeping in view the fact that petitioner has an efficacious alternate remedy under the SARFAESI Act for redressal of her grievance and no interference is called for in exercise of jurisdiction under Article 226 of the Constitution of India. Gainful reference in this regard can be made to the judgment of the Hon'ble Supreme Court in M/s South

Indian bank Ltd. and others v. Naveen Mathew Philip and another,

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:2:

2023(2) RCR (Civil) 771, Union Bank of India v. Satyawati Tandon and others, 2010(8) SCC 110, Varimadugu Obi Reddy v. B. Sreenivasulu and others, 2023(1) R.C.R.(Civil) 34 and Division Bench judgment of this High Court in CWP No.10738 of 2022 (M/s Harinder Fabrics v. Shriram City Union Finance Ltd.) decided on 04.05.2023.

4. Writ petition is accordingly dismissed with liberty to the petitioner to avail the remedy/remedies available to her in accordance with law for redressal of her grievance.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

09.08.2023
Rimpal

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No