



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

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CWP-30231-2024.
Date of Decision: 26.11.2024.

Mamuni GhoshPetitioner.

VERSUS

Aditya Birla Housing Finance Ltd. and anotherRespondents.

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MS. JUSTICE LAPITA BANERJI

Present: Mr. S.K. Liberhan, Advocate for the petitioner.
Mr. Nakul Sharma, Advocate for the respondents.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner has sought quashing of order dated 04.10.2024 (Annexure P-1) passed by DRT-II, Chandigarh, in terms of which, interim relief was declined to her.

2. Learned counsel for the petitioner submits that the property of the petitioner has been sold at a paltry amount of Rs.12,00,000/-. He submits that the petitioner is an uneducated lady and has been doing the job of patient care and all the family members are dependent upon her.

3. Learned counsel for the respondents, however, submits that the petitioner had earlier approached this Court by preferring CWP-21044-2024, which was dismissed as withdrawn on 28.08.2024, with liberty to seek recourse to the alternative remedy in accordance with law. The petitioner has

approached DRT-II and her SA is pending adjudication and she was declined the interim relief.

4. Heard.

5. The petitioner has already availed the alternative remedy after having approached this Court. Her SA is pending adjudication and she appears to be aggrieved against declining of interim relief. It is always open to her to challenge the said order by preferring an appeal before the DRAT, which the petitioner has not availed at this stage. There is no ground to interfere with the order of DRT-II when an alternative statutory remedy is provided.

6. We do not find any merit in this petition and the same stands dismissed. However, the petitioner would be at liberty to assail order dated 04.10.2024 by preferring an appeal before the DRAT.

(ANUPINDER SINGH GREWAL)
JUDGE

(LAPITA BANERJI)
JUDGE

26.11.2024

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No