

D/L.06.
March 23, 2026.
KAUSHIK

WPA No. 5698 of 2026

Mahashin Ali Gazi & Anr.
Vs.
The Union of India & Ors.

Mr. Sandip Das
... for the petitioner

The grievance of the petitioner is directed against an action, which has been initiated under the provisions of Sections 13(2) and 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI).

It is submitted on behalf of the petitioner that there are admittedly outstanding dues payable by the petitioner to the respondent financial institution and the same remain unpaid.

In view of the action initiated under Sections 13(2) and 13(4) of the Act of 2002, the petitioner prays for liberal installments.

In view of the statutory embargo under Section 17 of the Act of 2002 and the alternative efficacious remedy available to the petitioner, there are no grounds, which the petitioner has been able to demonstrate, warranting interference by this Court.

In view of the above, WPA 5698 of 2026 stands dismissed.

Liberty is granted to the petitioner to approach the Appropriate Tribunal for available statutory remedy, in accordance with law, if so advised.

There is no expression on the merits of the case and all issues are left open to be decided by the Appropriate Tribunal strictly in accordance with law.

Since, no affidavits have been called for, the allegations contained in this writ petition are not admitted.

(Ravi Krishan Kapur, J.)