

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

104

CWP-15760-2018

Date of Decision : 29.06.2018

Daman Preet Singh

..... Petitioner

Versus

District Magistrate, Ludhiana and others

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU**

Present : Mr. Gurmohan Singh Bedi, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has prayed that he is a tenant in the premises of the borrower and is not disputing any issue but the bank is going to take over the possession on 04.07.2018 and the only prayer made by the petitioner is to grant of three months' time to vacate the premises.

On the other hand, Mr. Gaurav Goel, Advocate has appeared on behalf of respondent No.3-Bank of Baroda and submits that after the insertion of Section 17(4)A of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 w.e.f 01.09.2016, the petitioner has remedy to approach the Debt Recovery

Learned counsel for the petitioner has argued that if the petitioner goes to the Debt Recovery Tribunal, then he will have to raise full-scale challenge, but in the present case, only the limited relief of extension of time has been sought.

We are of the view that even this relief can be granted by Debt Recovery Tribunal and consequently the petitioner could not have approached this Court.

In this view of the matter the present petition is dismissed as not maintainable.

(AJAY TEWARI)
JUDGE

JUNE 29, 2018
gaurav sorot

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	-	Yes / No
Whether reportable	-	Yes / No