

Court No. - 34

Case :- WRIT - C No. - 7279 of 2018

Petitioner :- Haroon

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sunil Kumar Tiwari

Counsel for Respondent :- C.S.C., Satish Chaturvedi

Hon'ble Sudhir Agarwal,J.

Hon'ble Shashi Kant,J.

1. Heard learned counsel for petitioner and perused the record.
2. Proceedings have been initiated under the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*hereinafter referred to as the “Act, 2002”*). Petitioner admittedly is guarantor and liability of guarantor is co-extensive as held by Supreme Court in **Sobran Singh vs. State of U.P. & others (2014) 10 SCC 799**.
3. Moreover, since proceedings are under the provisions of Act, 2002, Petitioner has a statutory alternative remedy to approach Debts Recovery Tribunal under Section 17 of Act, 2002.
4. The writ petition is thoroughly misconceived. Dismissed on the ground of alternative remedy.

Order Date :- 28.2.2018

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