

(2022) 01 UK CK 0016
In the Uttarakhand High Court
Case No : Writ Petition (M/S) No. 32 Of 2022

Anil Kumar & Another

APPELLANT

Vs

Punjab National Bank & Others

RESPONDENT

Date of Decision : 06-01-2022

Acts Referred:

Securitization And Reconstruction Of Financial Assets And Enforcement Of Security Interest Act, 2002, — Section 13(2)

Citation : (2022) 01 UK CK 0016

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Bilal Ahmed, V.K. Kohli, I.P. Kohli

Final Decision : Disposed Of

Judgement

Manoj Kumar Tiwari, J

1. By means of this writ petition, petitioners have challenged notice dated 18.11.2021 issued by Punjab National Bank under Section 13 (2) of

SARFAESI Act.

2. Learned counsel for the petitioners submits that petitioners have not mortgaged any property and the respondent-bank has falsely claimed that

petitioners have mortgaged their property, as Guarantor, in respect of loan given to respondent nos.2 & 3. He further submits that respondent nos. 2 &

3 have played fraud upon petitioners by mortgaging their immovable property without their knowledge with Punjab National Bank for obtaining loan.

3. Since no coercive action has been taken against petitioners as yet and petitioners can file reply/representation against the notice issued to them,

therefore, the writ petition is disposed of with liberty to petitioners to approach Competent Authority in Punjab National Bank by making a

representation. If petitioners make such representation for ventilation of their grievance within ten days from today, Competent Authority in the Bank

shall consider the same and take appropriate decision, in accordance with law, within two weeksâ?? from the date of receipt of representation

alongwith certified copy of this order.

4. Let a certified copy of this order be issued within 24 hours.