

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 13865/2020

(Arising out of impugned final judgment and order dated 02-11-2020 in CWP No. 18223/2020 passed by the High Court Of Punjab & Haryana At Chandigarh)

GYANKUND TRUST TO EDUCATE AND SERVE

Petitioner(s)

VERSUS

RESERVE BANK OF INDIA & ANR.

Respondent(s)

(FOR I.R. and IA No.118868/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.118869/2020-APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT)

Date : 25-11-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s)

Mr. Nikhil Singhvi, Adv.
Ms. Shraddha Deshmukh, Adv.
Ms. Supriya Juneja, AOR
Mr. Aditya Singla, Adv.
Mr. Obhirup Ghosh, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Learned counsel for the petitioner submits that the High Court ought to have considered the writ petition by which the notice under Sections 13(2) and 13(3) of the SARFAESI Act was challenged. He submits that the Bank could not have declared the petitioner's account as NPA, because the moratorium period was still continuing and moratorium period was from March 1, 2020 to August 31, 2020.

Be that as it may, the petitioner's remedy is only, as pointed out by the High Court, to file objections to the notice under

Section 13(2) of the SARFAESI Act and and take appropriate remedy as available under the Act.

We are not inclined to entertain this petition.

The special leave petition is, accordingly, dismissed. However, the petitioner may take remedy as observed above.

Pending applications stand disposed of.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)
BRANCH OFFICER