

Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (2002), S.14, 17 - Constitution of India, Art.226 - Order passed under S. 14 - Challenge under Art.226 of Constitution - No appeal filed under Section 17 - It would normally have been open to the respondent to prefer an appeal under section 17 raising objections regarding legality of the decision of the Magistrate....

But in view of the fact that the respondent chose to challenge the decision of the magistrate by invoking the jurisdiction of the High Court under Article 226 of the Constitution and in view of the fact that the respondent does not have any substantive objection as can be discerned from the record, we make it clear that the respondent in the instant case would not be entitled to avail the remedy under section 17 as the respondent stalled the proceedings for a period of almost 4 years

read here

[Subscribe to read full notes and judgment](#)

[PLRonline 314600](#)