

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

CWP No.27018 of 2014

Date of Decision:-01.05.2015

Munish Kumar Aggarwal

.....Petitioner

Versus

Central Bank of India and others

.....Respondents

**CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL.
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU.**

Present:- Mr. Akshay Bhan, Sr. Advocate with
Mr. Alok Mittal, Advocate
for the appellant.

Mr. Pavan Malik, Advocate
for respondent Nos.1 and 2.

Mr. Chetan Mittal, Sr. Advocate with
Mr. Alok Kumar Jain, Advocate
for respondent No. 3.

SATISH KUMAR MITTAL, J.(Oral)

On the preliminary objection raised by counsel for respondents to the effect that the present writ petition is not maintainable against the order of sale notice issued by the Bank for sale of the mortgaged property in the bank loan case.

In view of the said objection, learned counsel for the petitioner states that let the petitioner be permitted to withdraw this petition with liberty to avail his remedy under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'the Act'). He further prays that the interim order dated 30.12.2014 be continued for three

weeks from today to enable him to avail his alternative remedy under the said Act.

Learned counsel for the respondents have not objection.

Accordingly, the petition is dismissed as withdrawn with liberty to the petitioner to avail his alternative remedy under the aforesaid Act and the stay order dated 30.12.2014 shall remain in force only for three weeks to enable the petitioner to take alternative remedy. It will be open for the parties to raise all the contentions as raised in the present petition before the appropriate authorities where the matter will be listed for hearing.

(SATISH KUMAR MITTAL)
JUDGE

01.05.2015
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(HARINDER SINGH SIDHU)
JUDGE