

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-14316-2016 (O&M)

Date of decision: 08.11.2016

Ashok Kumar

..... Petitioner

Versus

Punjab and Sind Bank and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL  
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. Saurav Khurana, Advocate for the petitioner.

**AJAY KUMAR MITTAL, J. (ORAL)**

**CM-13537-2016**

Copy of the sale-deed dated 12.05.2003 (Annexure P-10) filed along with the application is taken on record, subject to all just exceptions.

Office to tag the same at the appropriate place.

CM stands disposed of.

**CWP-14316-2016**

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India, *inter alia* seeking setting aside of the order dated NIL (Annexure P-6) passed by the respondents whereby the representations of the petitioner dated 04.02.2012 and 05.09.2012 (Annexures P-2 and P-4, respectively) were dismissed and the possession-

cum-sale notice dated 08.08.2012 (Annexure P-3) issued under Section

13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act').

2. After arguing for some time, learned counsel for the petitioner submitted that he may be allowed to withdraw the instant petition, with liberty to the petitioner to approach the Debts Recovery Tribunal, under the provisions of the SARFAESI Act.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies, as may be available to him, in accordance with law.

**( AJAY KUMAR MITTAL )  
JUDGE**

**November 08, 2016**  
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**( RAMENDRA JAIN )  
JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**