

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-16026-2016

Date of decision: 09.08.2016

Smt. Seema Rani

..... Petitioner

Versus

Bank of India

..... Respondent

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

PRESENT: Mr. Aalok Jagga, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. The petitioner has approached this Court under Articles 226/227 of the Constitution of India, for issuance of a writ of prohibition restraining the respondent-Bank from taking physical possession of the residential house of the petitioner which was mortgaged with the Bank by her being guarantor in the loan account of M/s Narula Food Pvt. Ltd.

2. At the outset, learned counsel for the petitioner submitted that notice for sale of the mortgaged property has been issued by the respondent-Bank in the morning today, therefore, he may be allowed to withdraw the instant petition, with liberty to the petitioner to challenge the said sale notice along with the proceedings for taking physical possession of the mortgaged property.

3. Dismissed as withdrawn, with the liberty as prayed for.

**(AJAY KUMAR MITTAL)
JUDGE**

August 09, 2016
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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No