

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

122

Civil Writ Petition No.18380 of 2016
Date of decision: September 05, 2016

Raj Kumar Arora

....Petitioner

versus

District Magistrate, Gurgaon and others

...Respondents

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

Present: Ms. Jyoti Sareen, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The challenge in this petition filed under Articles 226/227 of the Constitution of India is to the orders dated 29.03.2016, 13.06.2016 and 29.06.2016 (Annexures P-5, P-6 and P-11) respectively issued by respondent No.1. Further prayer has also been made to direct the respondents to restore the possession of the tenanted premises in favour of the petitioner and to grant interim direction to respondents No.2 and 3 to maintain status quo in respect of the property in dispute.

2. Learned counsel for the petitioner submits that the action of the respondent initiated under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act') is challenged in this writ petition. Since the impugned order is an appealable order, in view thereof, she prays that she may be allowed to withdraw the present writ petition. However, a prayer was made that liberty be granted to

the petitioner to take recourse to the remedy of appeal under Section 17 of the SARFAESI Act before the Debts Recovery Tribunal.

3. Dismissed as withdrawn with liberty to the petitioner to take recourse to the remedies as may be available to him in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

September 05, 2016
sonia gugnani

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No