

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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Civil Writ Petition No.19008 of 2016
Date of decision: September 14, 2016

Jatinder Kumar

....Petitioner

versus

Punjab National Bank and others

...Respondents

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

Present: Mr. S.K. Choudhary, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. In the instant writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the notices dated 01.04.2016 and 20.04.2016 (**Annexures P-7, P-8A and P-8B** respectively) as well as the public auction notice dated 13.08.2016 (**Annexure P-9**) issued by the respondent-Bank against the property which has been purchased by the petitioner being bonafide purchaser and has also approached the Civil Court before the loan facility was granted by respondents No.1 to 3. Further a writ in the nature of mandamus has also been sought for directing the respondent-Bank for satisfying the claim on the property of respondents No.2 and 3 as mentioned in Annexure P-7 and while considering the claim of the petitioner as the 1st charge over the property to pay the earnest money given in consideration of the sale of the property along with interest.

2. After arguing for sometime, learned counsel for the petitioner states that he may be allowed to withdraw the present writ petition. However, a prayer was made that liberty be granted to the petitioner to approach the Debts Recovery Tribunal under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. Dismissed as withdrawn.

4. However, it shall 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

September 14, 2016
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No