

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

**CWP No. 19347 of 2016
Decided on : 20.09.2016**

Subhash Chander

... Petitioner

Versus

State Bank of Patiala and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE KULDIP SINGH**

PRESENT: Mr. M.K. Bhatnagar, Advocate
for the petitioner.

Mr. Umang Khosla, Advocate
for the respondent Bank - Caveator.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of the impugned order/letter dated 01st September, 2016, appended as Annexure P-5 along with the present petition, whereby, the respondents intend to take physical possession of the mortgaged property i.e. residential house of the petitioner.

2. After arguing for sometime, learned counsel for the petitioner states that he may be allowed to withdraw the present writ petition with liberty 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 Dismissed as withdrawn. 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**

**(KULDIP SINGH)
JUDGE**

September 20, 2016

J.Ram