

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

**CWP No.22976 of 2016
Decided on : 21.11.2016**

Daya Ram

... Petitioner

Versus

Indian Overseas Bank and others

... Respondents

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

PRESENT: Mr. V.K. Gupta, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Certiorari*, for setting aside the order dated 26th August, 2016 (Annexure P-15), issued by respondent No.4, whereby, respondent No.5 was directed to take over the possession of the property of the petitioner with the police help under the the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'the Act').

2. After arguing for sometime, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the Debts Recovery Tribunal, in accordance with law.

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 Dismissed as withdrawn.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**

**(RAMENDRA JAIN)
JUDGE**

November 21, 2016

J.Ram

*Whether speaking/reasoned:
Whether Reportable:*

*Yes/No
Yes/No*