

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 6731 of 2016

Date of decision: 07.11.2016

Amandeep and another

....Petitioners

Versus

DC, Karnal-cum-District Magistrate, Karnal and others.

..Respondents

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

Present: - Mr. Sanjiv Gupta, Advocate, for the petitioners.

Ms. Shubhra Singh, Addl. A.G., Haryana.

Mr. C.S. Pasricha, Advocate, for respondent No. 2.

Mr. Vivek Goyal, Advocate, for respondent Nos. 3 and 4.

AJAY KUMAR MITTAL, J. (ORAL)

1. Petitioner has approached this Court under Articles 226/227 of Constitution of India seeking a writ in the nature of certiorari for quashing the order/letter dated 12.01.2015 (Annexure P-5) and the order dated 21.03.2016 (Annexure P-9) passed by respondent No. 1 by invoking Section 14 of the Securitization and Reconstruction of financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act').

2. After arguing for sometime, learned counsel for the petitioner submitted that since certain questions of fact are required to be proved by way of leading evidence particularly relating to the tenancy of the petitioners, he may be allowed to withdraw this writ petition with liberty to the petitioners to approach the Debts Recovery Tribunal, under Section 17 of the SARFAESI Act.

3. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to the remedies as may be available to them in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

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(RAMENDRA JAIN)
JUDGE

Whether Speaking/Reasoned	:	Yes/No.
Whether Reportable	:	Yes/No.