

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

**CWP No. 8931 of 2016 (O&M)
Decided on : 21.11.2016**

Marriott Hotels India Private Limited

... Petitioner

Versus

State Bank of India and others

... Respondents

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

PRESENT: Mr. Anand Chhibber, Sr. Advocate with
Mr. Gaurav Chopra, Advocate
for the petitioner.

Mr. Raksh Gupta, Advocate
for respondent No.1.

Mr. H.C. Gupta, Advocate
for respondent No.2.

Ms. Sonia Sharma, Advocate
for respondent No.4.

Mr. Chetan Mittal, Sr. Advocate with
Mr. V.K. Sachdeva, Advocate and
Mr. Sumit Jain Ratia, Advocate
for respondent No.5.

Mr. Ashish Rawal, Advocate
for respondent No.6.

Mr. B.R. Mahajan, Sr. Advocate with
Mr. Prateek Mahajan, Advocate
for respondent No.7.

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 quashing the proceedings initiated by respondent No.1, before the District Magistrate, UT, Chandigarh, under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of

Security Interest Act, 2002 (in short 'the Act'), whereby, respondents No.1 to 3 willing to take possession of the property i.e. Plot No.6, Sector 35-D, Chandigarh, comprising of land measuring 12694.422 sq. yards and building thereon, comprising of hotel infrastructure and other assets i.e. Plant and machinery, equipment, appliances, furniture and fixtures, presently known as JW Marriot Hotel, Chandigarh.

2. After arguing for sometime, learned counsel for the petitioner on instructions stated that during the pendency of the present writ petition, this Court has allowed CM No.12277-CWP of 2016 vide order dated September 30, 2016, and impleaded Edelweiss Asset Reconstruction Company Ltd. as party-respondent No.7, who has taken over 70% debt equity of respondent No.5. It was, thus, stated by learned counsel for the petitioner that therefore, the petitioner may be allowed to withdraw the present writ petition with liberty to raise all the pleas before the appropriate Forum, in accordance with law.

3. In view of the above, the present writ petition stands dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to it, in accordance with law.

4. In view of the withdrawal of main petition, no further orders in CM Nos. 8768 & 9208-CWP of 2016 are called for and the same are disposed of as such.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

November 21, 2016

J.Ram

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No