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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7343/2015

POONAM CHOPRA & ORS

..... Petitioners

Represented by: Mr.B.N.Jha, Advocate

versus

PUNJAB NATIONAL BANK

..... Respondent

Represented by: Mr.Karan Khanna, Advocate

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **14.03.2016**

1. Learned counsel for the petitioners seeks leave to withdraw the writ petition stating that the correct remedy which petitioners need to avail of has not been availed of. The petitioners intend to challenge the attachment of the subject property made by the Recovery Officer.

2. Challenge in the writ petition is to an order passed in appeal wherein challenge was laid to an order dated December 01, 2009 decreeing claim of the respondent-bank in OA No.319/2009. The decree is against Tajinder Kaur, Harpreet Singh, Gaurav Arora and Sapreet Kaur. The writ petitioners claim to be bona-fide purchasers of the property. Counsel concedes that the writ petitioners cannot challenge the order decreeing the original application. Counsel states that remedy of the petitioners is to challenge the

attachment by the Recovery Officer.

3. We dismiss the writ petition as withdrawn observing that if the petitioners were to challenge the attachment effected by the Recovery Officer by moving an appropriate application before the Recovery Officer the same shall be decided by the Recovery Officer as per law including issue of limitation if it crops up.

4. No costs.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

MARCH 14, 2016

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