

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

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**CWP No.23767 of 2015
Date of Decision: May 22, 2017**

M/s Hari Kewal (P) Ltd. and others

....Petitioners

versus

Debts Recovery Appellate Tribunal, New Delhi and others

...Respondents

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

Present: Mr. P.S. Ahluwalia, Advocate for
Mr. Atul Sharma, Advocate for the petitioners.

Ms. Adarsh Pal Kaur, Advocate for respondent No.3.

Mr. Rajan Bhargava, Advocate for
Mr. Vishal Aggarwal, Advocate for respondents No.4 to 8.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court by way of instant writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari, quashing the order dated 19.12.2014 passed by the Presiding Officer, Debts Recovery Tribunal-II, Chandigarh (**Annexure P-1**) and the impugned action of respondent No.3-Bank dated 29.01.2010 (**Annexure P-7**), vide which the symbolic possession of their immovable properties has been taken by the respondent-Bank under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Further prayer has been made to direct the respondent-Bank to recall the actions under the summary procedure.

2. After arguing for sometime, learned counsel for the petitioners submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioners to approach the respondent-Bank for amicable settlement, to which learned counsel for the respondents have no objection.

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 Dismissed as withdrawn.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

(HARINDER SINGH SIDHU)
JUDGE

May 22, 2017
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Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No