

CWP No.2082 of 2017

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.2082 of 2017
Date of decision: 03.02.2017

Smt. Rinku

....Petitioner

Versus

Indiabulls Housing Finance Limited and others

....Respondents

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

Present: - Mr. Tajender K. Joshi, Advocate and
Mr. Ram Bilas Gupta, Advocate, for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

This writ petition under Article 226 of the Constitution of India has been filed for issuance of a writ in the nature of *certiorari* for quashing the possession notices dated 19.04.2016 (Annexure P-3) vide which the symbolic possession was taken and dated 28.12.2016 (Annexure P-8) issued by the respondents under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 vide which the physical possession was taken forcibly of the property/house in question owned by the husband of the petitioner to the extent of half share, though the property in question was never mortgaged with respondents No.1 and 2 as husband of the petitioner was not in India at the relevant time.

2. After arguing for some time, learned counsel for the petitioner prays that he may be permitted to withdraw this petition with liberty to the petitioner to approach the Debts Recovery Tribunal.

3. Dismissed as withdrawn.

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4. However, it shall be open to the petitioner to take recourse to the remedies as may be available to her in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

February 03, 2017
R.S.

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No