

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

**CWP No. 2890 of 2017
Decided on : 15.02.2017**

Jitender Kumar and another

... Petitioners

Versus

Corporation Bank and another

... Respondents

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

PRESENT: Mr. Deepender Singh, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

The prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is seeking direction to the respondents to take recourse to the mortgaged/hypothecated properties of the borrower/guarantors at the first instance under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'the Act') and further, take steps to sell the same and realize its dues before taking action against the only residential house of the petitioners.

2. After arguing for sometime, learned counsel for the petitioners states that he may be allowed to withdraw the present writ petition with liberty to the petitioners to approach the Debts Recovery Tribunal under Section 17 of the 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 Dismissed as withdrawn.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**

**(RAMENDRA JAIN)
JUDGE**

February 15, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No