

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

CWP No.10078 of 2018
Date of decision :17.9.2018

Simran Kaur

..... Petitioner

Versus

Indian Infoline Housing Finance Ltd. (IIFL)

..... Respondent

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.N.K.Verma, Advocate for the petitioner.
Mr.Vineet Sehgal, Advocate for the respondent.

AJAY KUMAR MITTAL, J.

1. The prayer made in the writ petition under Articles 226/227 of the Constitution of India is for quashing the order dated 5.4.2018, Annexure P.11, passed by learned District Magistrate, UT, Chandigarh for taking the physical possession of the sole property of the petitioner, which is in violation of the provision of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act & Rules, 2002. A writ in the nature of Mandamus directing the Bank to provide the latest consolidated statement of account after adjustment of the amount paid by the petitioner in the loan account as the respondent-Bank has maintained two wrong account of one loan account.

2. Learned counsel for the petitioner inter-alia states that certain questions of fact are required to be established and, therefore, the proper remedy for the petitioner is to approach the DRT or to take recourse to the alternative remedies as may be available to him, in accordance with law. Thus, he prays for withdrawal of the present petition with the aforesaid liberty.

3. Dismissed as withdrawn.

4. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to him, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

September 17, 2018
KD

(AVNEESH JHINGAN)
JUDGE

Whether speaking / reasoned:
Whether Reportable:

Yes / No
Yes / No