

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

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**CWP No.11812 of 2018 (O&M)**

**Date of Decision: 10.05.2018**

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Nigam Uppal

...Petitioner

VS.

M/s Cholamandalam Investment and  
Finance Ltd. & Anr.

... Respondents

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**Coram : Hon'ble Mr.Justice Surya Kant  
Hon'ble Mr.Justice Shekher Dhawan**

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Present: Mr. Ajay Kumar Gupta, Advocate for the petitioner

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**SURYA KANT J. (Oral)**

(1) The petitioner is a borrower of M/s Cholamandalam Investment and Finance Ltd. – respondent No.1. Besides assailing the order dated 16.04.2018 passed by District Magistrate, Ludhiana for taking over physical possession of the secured assets, the petitioner has raised various questions, some of which are disputed questions of facts also.

(2) After arguing the case for some time, learned counsel for the petitioner seeks to withdraw the writ petition with liberty to approach DRT raising all the questions raked up in this petition. Since the mortgaged properties of the petitioner include two residential houses also where the petitioner's family, and of his brother are residing, it is directed that *status quo re*: physical possession be maintained for three weeks so as to meanwhile enable the petitioner to approach the alternative forum.

(3) Liberty is granted to the petitioner to seek complete statement of account and in the event of any such application, the same will be supplied to the petitioner by the respondent-financial institution.

**(Surya Kant)  
Judge**

**10.05.2018**

*vishal shonkar*

**(Shekher Dhawan)  
Judge**

1. Whether speaking/reasoned?  
2. Whether reportable?

**Yes  
No**