

Shakuntla Devi and another

..... Petitioners

VS

Authorised Officer, State Bank of India and others

..... Respondents

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

Present:- Mr.Atul Sharma, Advocate
for the petitioners.

None for the respondents.

AJAY KUMAR MITTAL, J. (Oral)

This writ petition has been filed under Article 226 of the Constitution of India for quashing the impugned actions of the bank while the bank has prematurely declared the account of the petitioner to be a “non-performing asset”, while only an amount of ₹34,284/- was overdue i.e. EMI of one month @ ₹22,823/- and have issued a notice of possession dated 28.12.2018 issued under section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002, but has also sought an assistance from the office of the Ld. District Magistrate, Gurgaon, for taking physical possession of the residential house of the petitioner.

2. Learned counsel for the petitioners states that the petitioners are unable to comply with the order dated 23.08.2018. Accordingly, a prayer was made by learned counsel for the petitioners that he may be allowed to withdraw the present writ petition with liberty to the petitioners to take recourse to the alternative remedies as available to them, in accordance with law.

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 Dismissed as withdrawn.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

10.09.2018	(AVNEESH JHINGAN)
<i>anju</i>	JUDGE
Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No