

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

CWP No.22975 of 2018
Date of decision :10.9.2018

Adesh Kumar

..... Petitioner

Versus

ICICI Bank Ltd. and another

..... Respondents

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

Present: Mr.Vivek Goyal, Advocate for the petitioner.

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 notice dated 27.4.2018, Annexure P.3 under Section 13(2) of The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'the Act') and also the possession notice dated 3.8.2018, Annexure P.4 whereby amount of ₹2,71,004/- has been demanded, whereas, according to account statement the overdue installments of ₹52,784/- are only to be paid and the rest of installments are to be paid upto 2023. A further writ in the nature of Mandamus is sought directing the respondent-Bank to reconcile the account of the petitioner as per terms and conditions of home loan.

2. After arguing for some time, learned counsel for the petitioner states that he may be allowed to withdraw the

present petition with liberty to the petitioner to approach the Bank or to take recourse to the alternative remedies as may be available to him, in accordance with law.

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 Dismissed as withdrawn.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 10, 2018
KD

(AVNEESH JHINGAN)
JUDGE

Whether speaking / reasoned:
Whether Reportable:

Yes / No
Yes / No