

CWP-23243-2018

Date of Decision: 13.09.2018

M/s Cholamandalam Investment and
Finance Company Ltd.

....Petitioner

versus

District Magistrate-cum-DC, Ludhiana and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN****Present:** Ms. Puja Chopra, Advocate
for the petitioner.**AJAY KUMAR MITTAL, J. (ORAL)**

This writ petition has been filed under Articles 226/227 of the Constitution of India with a prayer that this Hon'ble Court may kindly issue a writ in the nature of Mandamus directing respondents to proceed and take appropriate legal action expeditiously under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) and to take the possession of the mortgaged property/secured asset i.e. property Plot No.7-J, House Bearing M.C. No. B-20-4494, Sunet village, Sarabha Nagar, Ludhiana measuring 500 Sq. Yards (4500 Sq. Ft.).

2. At the outset, learned counsel for the petitioner submitted

that inadvertently the borrower and the persons from whom the possession is to be taken, are not impleaded as party and she prays for withdrawal of the present petition with liberty to file fresh petition on the same cause of action after impleading proper parties and incorporating the relevant averments in the petition.

3. Dismissed as withdrawn with liberty as prayed for.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

13.09.2018

Neha

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No