

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

**CWP No. 23744 of 2018
Decided on : 17.09.2018**

Shimla and another

... Petitioner(s)

Versus

Housing Development Finance Corporation Ltd. and another

... Respondent(s)

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

PRESENT: Mr. Deepak Sonak, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Certiorari*, for setting aside the impugned notice dated 28th July, 2018 (Annexure P-3) issued under Rule 8(6) of the Security Interest (Enforcement) Rules, 2002 and further proceedings thereof, vide which the house of the petitioner was auctioned. A further prayer for directing the respondents No.1 and 2 to cancel the sale proceedings of the house of the petitioners, has also been made.

2. After arguing for sometime, learned counsel for the petitioners submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioners either to approach the respondent-Bank or to take recourse to the alternative remedies as are 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 Dismissed as withdrawn.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**

**(AVNEESH JHINGAN)
JUDGE**

September 17, 2018

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No