

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

CWP No.27080 of 2018

Date of Decision : 20.12.2018

Kotak Mahindra Bank Limited

.....Petitioner

Versus

Deputy Commissioner Kaithal and others

.....Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present : Mr. Nitin Ahluwalia, Advocate
for the petitioner.

Mr. Aayuan Singh, Asstt. Advocate General, Haryana
for respondents No.1 to 3-State.

AJAY KUMAR MITTAL, J. (ORAL)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India seeking directions to respondents No.1 to 3 to comply with/executed the order dated 6th July, 2018 (Annexure P-10) passed by respondent No.1, whereby he directed respondent No.2 to take possession of the mortgaged property under the Securitization And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. Upon notice of motion having been issued, a reply by way of affidavit on behalf of respondent No.1 and 2 through Jagdish Chander, Tehsildar, Guhla, District Kaithal, has been filed, in Court

today, wherein Para 2, it has been stated as under :-

“That the present petition has become infructuous as the possession of the disputed property has already been taken by the petitioner-Bank on 16.11.2018 under the supervision of respondent No.2 being Duty Magistrate.”

3. The aforesaid affidavit is taken on record.
4. In view of the above, Ld. Counsel for the petitioner states that since the present writ petition has been rendered infructuous, he may be permitted to withdraw the same.
5. Dismissed as withdrawn.

(AJAY KUMAR MITTAL)
JUDGE

December 20, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No