

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

CWP-29282-2018

Decided on: 20.11.2018

Kavita Devi and another

.... Petitioners

Vs.

The Debt Recovery Tribunal Chandigarh and ors.

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Ms. Divya, Advocate for
Mr. Mohit Nehra, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J (ORAL)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order of direction especially a writ in the nature of Certiorari for quashing of the impugned orders dated 17.10.2018 and 26.10.2018 (Annexures P-3 and P-4).

2. Learned counsel appearing for the petitioners submitted that she may be allowed to withdraw the present writ petition as the Tribunal had passed the impugned order on the basis of the Full Bench judgment of Allahabad High Court in 'M/s. Hindon Forge Pvt. Ltd. and another vs. State of U.P. Through D.M. Ghaziabad and others' which has since been set aside by the Supreme Court in Civil Appeal No.10873 of 2018 titled as **“M/s. Hindon Forge Pvt. Ltd. And another vs. The State of Uttar Pradesh Through D.M. Ghaziabad and another'** decided on 01.11.2018.

3. According to the learned counsel, the petitioners will move an appropriate application before the Tribunal for interim relief as the securitization application filed by the petitioners under Section 17 of the Securitisation and Reconstruction of Financial Assets Act and Enforcement of Security Interest Act, 2002 is pending for 31.12.2018.

4. Dismissed as withdrawn. However, it shall 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

(MANJARI NEHRU KAUL)
JUDGE

20.11.2018

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No