

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 29525 of 2018
Decided on : 26.11.2018

Sonika Kohli and others

. . . Petitioner(s)

Versus

State Bank of India and others

. . . Respondent(s)

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

PRESENT: Mr. Gagneshwar Walia, 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 quashing of notice dated 25th July, 2017 (Annexure P-2) issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short 'the Act'), possession notice dated 09th July, 2018 (Annexure P-4) issued under Section 13(12) of the Act and notice dated 01st October, 2018 (Annexure P-6) issued under Section 14 of the Act. Further prayer has been made that respondents No.1 and 2 be directed to regularize the loan account of the petitioners by duly accounting the payments made by the petitioners. Besides above, a further prayer for restraining the respondents from taking any coercive measures including taking over the physical possession of the petitioners' mortgage assets, has also been made.

2. At the outset, learned counsel for the petitioners submitted that certain facts are required to be established, therefore, he may be allowed to withdraw the present writ petition with liberty to the petitioners to approach the Debts Recovery Tribunal or 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 Dismissed as withdrawn.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**

**(MANJARI NEHRU KAUL)
JUDGE**

November 26, 2018
J.Ram

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