

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

**CWP No. 7559 of 2018 (O&M)
Decided on : 06.09.2018**

M/s Swami Automobiles Pvt. Ltd. & another

. . . Petitioner(s)

Versus

State Bank of India and others

. . . Respondent(s)

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

PRESENT: Mr. Anand Chhibbar, Sr. Advocate with
Mr. Vaibhav Sahni, Advocate
for the petitioner(s).

Mr. D.K. Singhal, Advocate
for respondents No.1 to 3.

Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Abhinav Aggarwal, Advocate
for respondent No.4.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court under under Articles 226/227 of the Constitution of India, seeking quashing of the impugned sale notice dated 06th March, 2018 (Annexure P-7), vide which two residential houses of the petitioners family were put on sale. A further prayer for issuing direction to the respondents has been made to extend the time for payment of the One Time Settlement (OTS) amount by another three months. A further prayer has also been made for restraining the respondents from dispossessing the petitioners from House Nos. 315 & 91, situated in Sector 9, Panchkula, where the petitioners along with their old mother and sisters are residing, during the pendency of the writ petition.

2. Learned counsel for the petitioners states that he may be allowed to withdraw the present writ petition with liberty to the petitioners to avail alternative remedies as may be 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 Dismissed as withdrawn.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.

4. Learned counsel for respondent No.4 i.e. the auction-purchaser submitted that because of the interim order passed by this court, remaining amount has not been deposited within the period as provided by the Bank. It is, however, clarified that in case the auction-purchaser deposits the balance amount within fifteen days from today, the same shall be treated to be within time.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

September 06, 2018

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No