

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

**CWP No. 8073 of 2018
Decided on : 29.08.2018**

M/s Kartar International School Society

. . . Petitioner(s)

Versus

State Bank of India and another

. . . Respondent(s)

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

PRESENT: Mr. Munish Puri, Advocate, for the petitioner(s).

Mr. Gaurav Goel, Advocate, for the respondent - Bank.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of the impugned possession notice issued under Section 13(4) of the SARFAESI Act, 2002 (in short 'the Act') (Annexure P-3) and notice dated 19.05.2015 (Annexure P-2) issued under Section 13(2) of the Act being in contravention with the provisions of the aforesaid Act. Further prayer for setting aside of order dated 15th March, 2018 (Annexure P-4) has been made, which is stated to be passed by the Presiding Officer of DRT-III, Chandigarh, on the basis of surmises and conjectures.

2. After arguing for sometime, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition, as the petitioner was unable to comply with the commitment made on 02.04.2018 and order dated 16.07.2018. However, a prayer was made that liberty be granted to the petitioner to approach the respondent-Bank or to take recourse to the alternative remedies as are available to it, in accordance with law.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies as may be available to it, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(AVNEESH JHINGAN)
JUDGE**

August 29, 2018

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No