

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

CWP-2029-2019

Decided on: 24.01.2019

Jitender Kumar

.... Petitioner

Versus

AU Small Finance Bank Ltd. And others

..... Respondents

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

Present: Mr. Ram Bilas Gupta, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J (ORAL)

The petitioner has approached this Court by filing writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of Certiorari for quashing of the order dated 27.03.2018 (Annexure P-2) vide which the Tehsildar Ballabgarh is appointed as Receiver to take over the possession of secured assets/mortgage property of the petitioner and take over the possession to respondents No.1 and 2, the only residential house of the petitioner under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act') though the petitioner is ready to deposit the overdue amount in installment in his MSME loan account and also ready to pay regularly the monthly installments of the said loan account.

2. After arguing for sometime, when the Bench was not inclined to entertain the petition, learned counsel for the petitioner submitted that he may be allowed to withdraw the present petition with liberty to the petitioner either to approach the bank or to avail the alternative remedies as are available to him in accordance with law.

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 Dismissed as withdrawn.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

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

24.01.2019
Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No