

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

**CWP No. 40574 of 2018
Decided on : 04.02.2019**

Rohit Garg

. . . Petitioner(s)

Versus

Authorized Officer, Punjab & Sind Bank and others

. . . Respondent(s)

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

PRESENT: Mr. R.S. Manhas, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking quashing of impugned notice dated 07.12.2018 (Annexure P-7) published in the Newspaper on 08.12.2018 (Annexure P-8) for putting the e-auction of the running College *qua* property-II measuring 31 Kanal 11 Marla land belongs to the society and also quashing of impugned order dated 15.12.2018 (Annexure P-10), issued under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short 'the SARFAESI Act, 2002'). A further prayer for issuing direction to the respondent-Bank to recover the debts by selling the properties of other guarantors instead of selling the College Society land, has been made.

2. After arguing for sometime, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to approach the Debts Recovery Tribunal under the provisions of the SARFAESI Act, 2002.

3. Dismissed as withdrawn. It shall, however, 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**

February 04, 2019

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No