

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

**Civil Writ Petition No. 9948 of 2020 (O&M)
Date of Decision: 16.07.2020**

Smt. Deepak Bansal and another

..... Petitioners

Versus

The District Magistrate, Moga, Punjab and others

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SANT PARKASH**

Present: Mr. Sahil Khunger, Advocate for the petitioners.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

JASWANT SINGH, J. (ORAL)

The two petitioners, namely, Smt. Deepak Bansal and Jeevan Kumar are guarantors in the loan availed by respondent No. 4-M/s. Jeevika Automobiles, Nihal Singh Wala, District Moga. It is averred that respondent No. 4 by illegally alluring, got mortgaged the property of the petitioners.

By filing the present writ petition, they (petitioners) seek quashing the Demand Notice dated 03.06.2019 (**Annexure P-4**) issued under Section 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short “SARFAESI Act, 2002”); Possession Notice dated 14.08.2019 (**Annexure P-6**) under Section 13 (4) of the SARFAESI Act, 2002 issued by the respondent-State Bank of India; **as also** order dated 11.01.2020 (**Annexure P-12**) passed by Additional District Magistrate, Moga, permitting the respondent-Bank for taking possession of the mortgaged property of the petitioners-guarantors.

At the time of hearing, counsel for the petitioners prays for permission to withdraw the present petition to enable his clients to file a fresh one with better particulars.

Dismissed as withdrawn with the liberty, as prayed for.

(JASWANT SINGH)
JUDGE

July 16, 2020
'dk kamra'

(SANT PARKASH)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>