

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CM-8857-2020 in/and
CWP No. 13590 of 2020**

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Date of Decision: 8th September, 2020

Deepak Bhandari and others

....Petitioners

VERSUS

IDFC First Bank Limited and others

....Respondents

**CORAM: JUSTICE S. MURALIDHAR
JUSTICE AVNEESH JHINGAN**

Present: Mr. Anand Chhibbar, Senior Advocate with
Mr. Viren Sibal, Advocate,
for the Petitioners.

Mr. Anil Mehta, Advocate
for Respondent No.1/Bank.

Mr. Chetan Mittal, Senior Advocate with
Mr.V.K. Sachdeva, Advocate
for Respondent No.2

Dr. S. Muralidhar, J.

1.Initially, after making submissions for some time,Mr. Anand Chhibbar, learned Senior Advocate appearing for the Petitioners sought a pass over to seek instructions from the Petitioners on whether, notwithstanding the order dated 4th September, 2020 the main writ petition itself i.e. CWP No. 13590 of 2020 can be taken up and disposed of by this Court.

2.On the second call, on instructions,Mr. Anand Chhibbar, learned Senior Advocate appearing for the Petitioners states that the Petitioners are willing and seek leave to withdraw the present petition with liberty to approach the concerned

Debt Recovery Tribunal ('DRT') in accordance with law to question the proceedings resulting in the order dated 28th August, 2020 passed by the Deputy Commissioner-cum-District Magistrate, Chandigarh under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002('SARFAESI Act') and also to seek appropriate interim reliefs before the DRT, including directions for re-possession.

3.Mr. Anand Chhibbar, learned Senior Counsel appearing for the Petitioners undertakes, again on instructions from the Petitioners, that the Petitioners will appear in the office of the District Magistrate, Union Territory, Sector 17, Chandigarh at 10:30 A.M. on 11th September, 2020 and will hand over the keys of the property in question to Respondent No.2, which will be present through its official representative.

4. The Court directs that the Petitioner will hand over vacant and peaceful of the property in question.

5.The petition is dismissed as withdrawn with liberty as prayed for and with the above directions. The application for stay is also disposed of.

6.In that view of the matter, the order dated 4th September, 2020 stands withdrawn.

(S. MURALIDHAR)
JUDGE

(AVNEESH JHINGAN)
JUDGE

8thSeptember, 2020
Satyawan

Whether speaking/reasoned Yes/No

Whether reportable Yes/No