

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

**Civil Writ Petition No. 22575 of 2020 (O&M)
Date of Decision: 23.12.2020**

Ranjit Kaur

..... Petitioner

Versus

Allahabad Bank and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Ferry Sofat, Advocate
for the petitioner.

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

JASWANT SINGH, J. (ORAL)

The petitioner (*Ranjit Kaur*) seeks quashing the Possession Notice dated 13.08.2018 (**Annexure P-2**) issued by the respondents-Bank under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short “the SARFAESI Act, 2002”), for taking over the possession of the mortgaged property (a plot measuring 303.33 square yards) of the petitioner.

It is averred that the petitioner had availed a home loan / term loan amounting to ₹ 52 lacs on 13.07.2017 for a plot measuring 303.33 square yards to run a business. However, due to loss in the business, the petitioner could not pay the installment in time. Hence, the Bank declared the account of the petitioner as NPA on 08.04.2018 and sent a demand notice dated 09.04.2018 (**Annexure P-1**) for ₹ 55,99,018/- issued under Section 13(2) of the SARFAESI Act, 2002”, and thereafter sent the possession notice dated 13.08.2018 (**P-2**) of the aforesaid property.

At the time of hearing, counsel for the petitioner prays for permission to withdraw the present petition with liberty to file a fresh one with better particulars.

Dismissed as withdrawn with the liberty, as prayed for.

(JASWANT SINGH)
JUDGE

December 23, 2020
'dk kamra'

(SUVIR SEHGAL)
JUDGE

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