

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH  
109**

**(PROCEEDINGS THROUGH V.C.)**

**CWP-4457-2021**

**DATE OF DECISION: FEBRUARY 25, 2021**

**CHOLAMANDALAM INVESTMENT AND FINANCE CO. LTD**

**.....Petitioner**

**VERSUS**

**DISTRICT MAGISTRATE CUM DEPUTY COMMISSIONER,**

**LUDHIANA & ORS**

**....Respondents**

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH  
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

**Present: Ms. Puja Chopra, Advocate,  
for the petitioner.**

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

Learned counsel for the petitioner prays for withdrawal of the writ petition in the light of the order passed by this Court earlier in Civil Writ Petition No.2089 of 2018 (M/s Cholamandlam Investment and Finance Limited Vs. District Magistrate-cum-Deputy Commissioner, Ludhiana), on 01.02.2018, with liberty to the petitioner to first approach the Civil Court and move an application under Order VII Rule 1 CPC alongwith an application under Order I Rule 10 CPC and bring it to the notice of the Court that the said suit is not maintainable in the light of the bar as provided under the Securitization and Reconstruction of Financial Assets and

Enforcement of Security Interest Act, 2002.

Dismissed as withdrawn with liberty as prayed for.

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**

**February 25, 2021**  
**khurmi**

**( ASHOK KUMAR VERMA )**  
**JUDGE**

|                            |        |
|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether Reportable:        | Yes/No |