

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

CWP No.10553 of 2021

Date of Decision:-28.07.2021

Lashkari Ram & Anr.

.....Petitioners.

Versus

State of Punjab & Ors.

.....Respondents.

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

Present:- Mr. Viney Puri, Advocate for the Petitioners.

JASWANT SINGH, J.(ORAL)

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

Lashkari Ram (petitioner No.1) is the proprietor of M/s Swaran Foundry. Resham Kaur (petitioner no.2) is the wife of petitioner no.1. It is stated that Bank of Baroda (respondent Nos.5 to 7) had extended a CC Limit of Rs.80 lacs and due to financial indiscipline the loan account was declared as NPA and proceedings under the SARFAESI Act 2002 were initiated, which have culminated into passing of an order dated 26.02.2016 passed by the District Magistrate, Kapurthala under Section 14 of Act 2002 directing providing of official assistance for taking physical possession of the collateral security i.e. the residential house owned by both the petitioners. The present petition has been filed, *inter alia*, challenging the order dated 31.03.2021 (P-4) passed by the Tehsildar, Phagwara requesting the

authorized officer of the Bank to be present on 21.4.2021 for taking over the physical possession.

At the time of hearing, learned Counsel for the petitioner prays for permission to withdraw the present petition to enable his clients to seek their remedy in accordance with law.

Dismissed as withdrawn with aforesaid liberty.

**(JASWANT SINGH)
JUDGE**

**(SANT PARKASH)
JUDGE**

July 28, 2021
Vinay

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