

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

CWP NO.17545-2020

Date of Decision: 29.01.2021

ANIL KUMARI

....PETITIONER..

Versus

DEBT RECOVERY TRIBUNAL-II CHANDIGARH
AND OTHERS

....RESPONDENTS

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

Present : Mr. Rohit Chandel, Advocate,
for the petitioner.

Mr. J.S. Bagga, Advocate,
for respondent No.2.

Ms. Shruti Jain Goyal, DAG, Haryana.

JASWANT SINGH, J.(Oral)

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

The guarantor-petitioner is before this Court, seeking quashing of the order dated 13.10.2020 passed by the Debts Recovery Tribunal-II, Chandigarh, whereby, her application moved under Section 17 of the Securitization & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short' "Act"), was dismissed on the ground that the physical possession of the mortgaged property had not been assumed.

It transpires that subsequently not only the symbolic possession by the bank has been taken but order for taking physical possession was also passed by the District Magistrate, Faridabad, under Section 14 of

the Act.

Learned counsel for the petitioner in the light of certain developments prays for permission to withdraw the present writ petition.

Dismissed as withdrawn.

**(JASWANT SINGH)
JUDGE**

**(SANT PARKASH)
JUDGE**

29.01.2021
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whether speaking/reasoned: Yes/No

whether reportable: Yes/No