

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

CWP No. 3274 of 2022

Date of Decision: 21.02.2022

SH. JITENDER KUMAR AND OTHERS

.....Petitioners

V/s.

MAGMA HOUSING FINANCE LTD. AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO.
HON'BLE MR. JUSTICE HARMINDER SINGH MADAAN

Present: Mr. Kamal Dev and Mr. Himanshu Sharma, Advocates,
for the petitioners.

M.S. RAMACHANDRA RAO, J. (Oral)

Notice of motion.

Mr. Vijiyesh Malhotra, Advocate accepts notice on behalf of
Er. Sandeep Suri, Advocate for respondents-Bank.

Learned counsel for the petitioners seeks to withdraw this Writ
Petition with liberty to pursue SA No.10 of 2022 before the DRT-II,
Chandigarh, and the said Tribunal is directed to adjudicate the question of
jurisdiction of the respondents-Bank to invoke the provisions of SARFAESI
Act, 2002 as a preliminary issue at the first instance.

Granting liberty as sought for, this Writ Petition is dismissed
as withdrawn.

(M.S. RAMACHANDRA RAO)
JUDGE

(HARMINDER SINGH MADAAN)
JUDGE

February 21, 2022

Ess Kay

Whether speaking / reasoned : *Yes /No.*

Whether Reportable : *Yes/No*