

2023:PHHC:096840-DB

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

233

CWP-8203-2021

Date of Decision: 27.07.2023

M/S HEND ENTERPRISES BASEMENT AND ANR

... Petitioners

VERSUS

DISTRICT MAGISTARTE, GURUGRAM AND ORS

....Respondents

**CORAM: HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE RITU TAGORE**

**Present: Mr. Vimal Kumar Gupta, Advocate
for the petitioners.**

Mr. Deepak Grewal, DAG, Haryana.

**Mr. Ankush Bharti, Advocate for
Mr. K. K. Goel, Advocate
for respondent No.3.**

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for quashing possession notice dated 26.03.2021 (Annexure P-3) issued by respondent No.2 under Section 13 (4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 and order dated 28.12.2020 (Annexure P-2) passed by respondent No.1 under Section 14 of SARFAESI Act.

2. Learned counsel for the petitioners submits that possession of the property has since been taken by the respondent-Bank and he has instructions to withdraw this writ petition with liberty to the petitioners to avail the remedy/remedies as may be available to them in accordance

CWP-8203-2021 :2:
with law.

3. Writ petition is accordingly dismissed as withdrawn with
the aforesaid liberty.

(LISA GILL)
JUDGE

27.07.2023 (RITU TAGORE)
Rimpal JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No