

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

CWP-6116-2023

Date of Decision: July 20, 2023

MOHD. THOFIK KURESHI

..... Petitioner

Versus

HDB FINANCIAL SERVICES AND OTHERS

..... Respondents

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

Present: Ms. Komalpreet Kaur, Advocate for
Mr. Deepak Arora, Advocate for the petitioner.

LISA GILL, J.

1. Prayer in this petition is for quashing notice dated 13.09.2022 (Annexure P3) under Section 13 (2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) besides notice dated 20.12.2022 (Annexure P4) under Section 13(4) of SARFAESI Act.

2. Co-ordinate Bench on 13.04.2023 had directed the petitioner to furnish demand draft of ₹7,00,000/- against outstanding of ₹31,50,394/- as on 09.09.2022 to show his bonafides. Said amount was not deposited and written request for an adjournment was circulated on behalf of learned counsel for the petitioner when the petition was listed for hearing on 20.04.2023. Matter was adjourned at request. Amount in question has not been deposited by the petitioner with the respondent neither brought in Court.

3. At this stage, learned counsel for the petitioner seeks to withdraw this writ petition with liberty to the petitioner to avail remedy/remedies as may be available to him in accordance with law.

4. Accordingly, writ petition is dismissed as withdrawn with liberty as aforementioned.

(LISA GILL)
JUDGE

July 20, 2023
rts

(RITU TAGORE)
JUDGE

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