

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6875-2023 (O&M)
Date of Decision : 13.10.2023

Suman

....Petitioner

VERSUS

Cholamandalam Investment
And Finance Co. Ltd. and Others

....Respondents

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

Present: None for the petitioner.

Ms. Puja Chorpa, Advocate for respondent Nos. 1 and 2.

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LISA GILL, J. (Oral)

1. Prayer in this writ petition is for setting aside auction notice dated 28.03.2023 (Annexure P-2).
2. On 06.10.2023, following order was passed:-

“ *Learned counsel for the respondents apart from submitting that present writ petition is not maintainable in view of judgment of Hon'ble Supreme Court in **Phoenix ARC Private Limited Vs. Vishwa Bharati Vidya Mandir and Others**, 2022(5) SCC 345 submits that the writ petition in any case is rendered infructuous as earlier proceedings initiated under the SARFAESI Act including notice under Section 13(2) of SARFAESI Act*

has been withdrawn. Fresh notice under Section 13(2) of SARFAESI Act has again been issued on 21.08.2022.

As there is no representation on behalf of the petitioner, adjourned to 13.10.2023.”

3. None had appeared on behalf of the petitioner on the last date of hearing. Even today, there is no representation on her behalf. It appears that the petitioner is not interested in proceeding with the matter any longer.
4. Accordingly, writ petition is dismissed in default.
5. Pending miscellaneous applications, if any, stand disposed of accordingly.

(LISA GILL)
JUDGE

October 13, 2023
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(RITU TAGORE)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO