

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CWP-10347-2022

Date of Decision: 24.11.2023

SANDEEP KUMAR

... Petitioner

VERSUS

DEWAN HOUSING FINANCE CORPORATION LTD

....Respondents

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

Present: Mr. Rajeev Sharma, Advocate
for the petitioner.

Mr. Harsh Chopra, Advocate
for respondents No.1 and 2.

LISA GILL, J.(Oral)

1. Prayer in this writ petition is for setting aside possession notice dated 16.03.2022 (Annexure P-2) issued under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 Act

2. Learned counsel for the petitioner submits that in view of judgments of Hon'ble the Supreme Court in **Union Bank of India v. Satyawati Tandon and others**, 2010(8) SCC 110 and **M/s South Indian Bank Ltd. and others v. Naveen Mathew Philip and another**, 2023(2) RCR (Civil) 771 and **Phoenix ARC Private Limited Vs. Vishwa Bharati Vidya Mandir and others**, 2022 (5) SCC 345, petitioner may be permitted to withdraw this writ petition with liberty to avail statutory remedy (ies) available to him in accordance with law.

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 Writ petition is accordingly dismissed as withdrawn with liberty aforesaid.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

24.11.2023
Rimpal

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