

Date of decision: 02.06.2023

....Petitioner

Versus

...Respondents

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Sandeep Suri, Advocate
for the petitioner.

Mr. Gaurav Goel, Advocate
for the respondent-Bank.

DEEPAK SIBAL, J. (ORAL)

Learned counsel for the petitioner seeks to withdraw the present petition with liberty to take up the issues raised in the present petition through a securitization application (for short ‘SA’) to be filed under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) before the Debts Recovery Tribunal, Chandigarh (for short ‘the Tribunal’).

Dismissed as withdrawn with liberty aforesaid.

Since the possession of the mortgaged property is stated to be taken over by the respondent-Bank by 07.06.2023, we have no manner of doubt that in case the petitioner files his SA, along with an application for interim stay, before the Tribunal by 05.06.2023, with an advance copy to the respondent-Bank, the Tribunal shall make every endeavour to finally adjudicate upon at least the petitioner's prayer of interim relief on or before 07.06.2023, in accordance with law.

(DEEPAK SIBAL)
JUDGE

(HARPREET SINGH BRAR)
JUDGE

02.06.2023

Neha

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