

2023:PHHC:094167-DB
IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
123

CWP-12184-2023

Date of decision: July 25, 2023

INDU AND ANOTHER

.....PETITIONERS

Versus

DEBT RECOVERY TRIBUNAL II AT CHANDIGARH THROUGH ITS
PRESIDING OFFICER AND OTHERS

.....RESPONDENTS

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

Present: Mr. Parminder Singh, Advocate,
for the petitioners.

LISA GILL, J. (ORAL)

1. Prayer in this writ petition is for quashing/setting aside the order dated 06.06.2022 (Annexure P-4) passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, possession notice dated 05.05.2023 (Annexure P-10) and order dated 20.04.2023 (Annexure P-9) passed by learned DRT-II, Chandigarh.

2. Admittedly, SA filed by the petitioners is pending before DRT-II, Chandigarh. Petitioners have assailed order dated 20.04.2023 passed by the DRT-II, Chandigarh with the averment that interim prayer for grant of stay has not been considered. Petitioners clearly have an efficacious alternate remedy for redressal of their grievance,

3. Faced with the above, learned counsel for the petitioners prays for withdrawal of the writ petition with liberty to the petitioners to avail the remedy/remedies as may be available to them in accordance with law.

4. Writ petition is accordingly dismissed as withdrawn with liberty as aforementioned.

(LISA GILL)
JUDGE

July 25, 2023
PJ

(RITU TAGORE)
JUDGE

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