

CWP-14962-2023

Date of Decision: September 12, 2023

HEERA KAUSHIK AND ANOTHER

..... Petitioners

Versus

CAN FIN HOMES LTD AND ANOTHER

.... Respondents

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

Present: Mr. Gaurav Singla, Advocate for the petitioners.

Mr. Abhinav Bali, Advocate for respondent No. 1.

LISA GILL, J.

1. Prayer in this petition is for quashing notice dated 21.12.2017 (Annexure P1) under Section 13(4) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short – ‘SARFAESI Act’) as well as order dated 03.07.2018 (Annexure P2) under Section 14 of SARFAESI Act passed by learned District Magistrate, Faridabad.

2. Learned counsel for the petitioners submits that in view of the judgment of Hon’ble the Supreme Court in **Phoenix ARC Private Limited versus Vishwa Bharti Vidya Mandir and others, 2022 (1) RCR (Civil) 888**, petitioners seek to withdraw this writ petition with liberty to them to avail statutory remedy/remedies available to them in accordance with law.

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 Accordingly, writ petition is dismissed as withdrawn with liberty as aforementioned.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

September 12, 2023

rts

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No