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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-5458-2024

Date of Decision:- 12.03.2024

SANJAY SHAHI

...Petitioner

Vs.

**DEBT RECOVERY TRIBUNAL-2 THROUGH REGISTRAR AND
OTHERS**

...Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MS. JUSTICE AMARJOT BHATTI**

Present:- Mr. Pawan Kumar Mutneja, Senior Advocate with Mr. Akshay
Goel, Advocate for the petitioner.

Ms. Promila Nain, Advocate for UOI.

Ms. Puja Chopra, Advocate for respondent No.2.

LISA GILL, J.

1. Prayer in this writ petition is for directing respondent No.2 to act strictly in accordance with law and prescribed Rules and for quashing order dated 22.12.2023 (Annexure P-12) passed by learned Chief Judicial Magistrate, Chandigarh under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and notice dated 20.02.2024 issued by respondent – Bank.

2. SA No.291 of 2023 filed by petitioner was dismissed by learned Debts Recovery Tribunal-2, Chandigarh Bench vide order dated 20.11.2023. Appeal i.e. RA No.1 of 2024 was filed by petitioner before learned DRAT, Delhi on 19.12.2023 in which notice was issued on 31.01.2024, however grant of interim relief had not been considered.

3. Learned counsel for petitioner fairly states, at the outset, that on mentioning before learned Debt Recovery Appellate Tribunal, Mumbai in the wake of learned Debt Recovery Appellate Tribunal, Delhi not holding Court, the matter was taken up and interim order, in favour of the petitioner, has been passed.

4. In view of above, learned counsel for petitioner submits that he has instructions to withdraw this writ petition with liberty to pursue the matter before learned Debt Recovery Appellate Tribunal and to avail remedy (ies) as may be available to him in accordance with law.

5. Dismissed as withdrawn with liberty as prayed for, without expression of any opinion on merits of the matter or even entertainability thereof.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

12.03.2024

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