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

CWP-6961-2022

Date of Decision: 30.01.2024

RAJNI KUMARI

..... Petitioner

Versus

PIRAMPAL CAPITAL AND HOUSING FINANCE AND ANOTHER

..... Respondents

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

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

Mr. Harsh Chopra, Advocate for respondents.

LISA GILL, J. (Oral)

1. Prayer in this writ petition is for quashing notice dated 10.01.2019 (Annexure P-3) 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 petitioner in view of judgments of Hon'ble Supreme Court in *Phoenix ARC Private Limited vs. Vishwa Bharti Vidya Mandir and others, 2022 (1) RCR (Civil) 888* and *State Bank of India Vs. Arvindra Electronics Pvt. Ltd., 2023(1) SCC 540* seeks to withdraw this writ petition with liberty to petitioner to avail remedy/remedies available to her in accordance with law while taking all available pleas. However, it is submitted that as interim order was granted in favour of petitioner on 04.04.2022 in this writ petition and has continued since then, with petitioner having deposited amount in terms thereof, the same may be directed to continue for at least a period of four weeks.

3. Writ petition is, permitted to be withdrawn with liberty as prayed for.

4. As interim order passed in favour of petitioners on 04.04.2022 has continued till date, same shall enure for a period of seven (07) working days from the date of receipt of certified copy of this order, in order to enable her to avail appropriate remedy as may be available in accordance with law. In case, petitioner files appropriate application/petition accompanied with requisite application (s), question of continuance or otherwise of interim order in petitioner's favour shall necessarily be in the realm of consideration by the appropriate Forum in accordance with law, without being influenced by any order, which may have been passed in this writ petition. There is no expression of opinion on merits of the matter.

5. It is clarified that interim protection afforded to petitioner shall not enure beyond 07 working days in the absence of appropriate order by competent authority/Tribunal in accordance with law.

6. Writ petition is disposed of accordingly.

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

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

30.01.2024

Sunil Devi

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