

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-7373-2024 (O&M)

Date of Decision: 01.04.2024

Sunita Devi

....Petitioner

versus

Uni-Com Fincorp Pvt.Ltd

and others

..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL

HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Munish Gulati, Advocate for the petitioner.

LISA GILL, J. (ORAL)

1. Prayer in this petition is for setting aside notice dated 19.02.2024 (Annexure P-2) issued by respondent No.3 for securing physical possession of the residential house of petitioner in proceedings under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'the SARFAESI Act') with a further prayer for restraining the said respondents from taking possession of her house.

2. Admittedly, SA No. 93 of 2024 filed by petitioner is pending adjudication wherein interim relief to petitioner has been denied by learned Debt Recovery Tribunal vide order dated 15.03.2024 which, admittedly, is an appealable order. All the pleas and arguments raised in this writ petition before us are very well within the realm of consideration by the learned Appellate Authority under the SARFAESI Act.

3. In view of the above, learned counsel for petitioner, at this stage, seeks to withdraw this writ petition with liberty to petitioner to avail statutory remedy/ies available to her in accordance with law.
4. Dismissed as withdrawn with liberty aforesaid. There is no expression of opinion on the merits of the matter.
5. Pending miscellaneous applications, if any, shall also stand disposed of.

(LISA GILL)

JUDGE

(AMARJOT BHATTI)

JUDGE

01.04.2024

sunita

Whether Reasoned/Speaking : Yes/No

Whether Reportable : Yes/No