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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9392-2024

Date of Decision:- 25.04.2024

Anita Marwaha and Anr.

....Petitioners

Vs.

Union of India and Ors.

...Respondents

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

Present:- Ms. Jigyasa Tanwar, Advocate for the petitioners.

Mr. Arman Sharma, Advocate and
Mr. Nitin Thatai, Advocate for respondents (through V.C.).

LISA GILL, J.

1. Prayer in this writ petition is for setting aside notice dated 04.04.2024 (Annexure P-9) issued by respondent No.3 pursuant to order dated 29.01.2024 passed by District Magistrate, Ludhiana under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the SARFAESI Act).

2. Learned counsel for petitioners when faced with judgments of Hon'ble the Supreme Court in *Phoenix ARC Private Limited versus Vishwa Bharti Vidya Mandir and others, 2022 (1) RCR (Civil) 888, Union Bank of India vs. Satyawati Tandon and others, 2010 (8) SCC 110* and *M/s South Indian Bank Ltd. and others vs. Naveen Mathew Philip and others, 2023 (2) R.C.R. (Civil) 771*, submits that petitioners be permitted to withdraw this writ petition with liberty to avail statutory remedy(ies) available to them under SARFAESI Act as well as to pursue

their matter regarding the insurance claim.

3. Writ petition is accordingly dismissed as withdrawn with liberty to avail the remedy(ies) in respect to proceedings under SARFAESI Act as well as insurance claim as may be available to petitioners in accordance with law.

4. Pending miscellaneous applications, if any, stand disposed of accordingly.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

25.04.2024
sunil devi

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