

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

2024:PHHC:047517-DB
CWP-12910-2023(O&M)
Date of Decision: 08.04.2024

(242)

Pawan & another

--Petitioners

Versus

Authorized Officer & others

--Respondents

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

Present:- Mr. Sahil Khunger, Advocate for petitioners.

Mr. K.P.S. Dhillon, Advocate for respondents
no.1 & 2 (through video conferencing).

Mr. Deepak Grewal, DAG, Haryana.

LISA GILL.J (Oral)

Prayer in this petition is for quashing Demand Notice dated 22.05.2021 (Annexure P-2) issued under Section 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (for short SARFAESI Act) and notice dated 18.05.2023 (Annexure P-4) issued by Tehsildar, Kharkhoda pursuant to order dated 30.08.2022, passed by District Magistrate, Sonipat under Section 14 of SARFAESI Act.

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

3. Writ petition is accordingly dismissed as withdrawn with liberty aforesaid.

**(LISA GILL)
JUDGE**

08.04.2024
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**(AMARJOT BHATTI)
JUDGE**

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No