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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-21655-2020 (O&M)

Date of Decision:- 12.02.2024

HARJIT KAUR AND ANR

...Petitioners

Vs.

DISTT MAGISTRATE YAMUNA NAGAR AND ORS

...Respondents

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

Present:- Mr. Atul Sharma, Advocate for the petitioners.
(Through V.C.)

Mr. Deepak Grewal, DAG, Haryana.

Mr. C.S. Pasricha, Advocate for respondent No.2 – Bank.

LISA GILL, J.

1. Prayer in this writ petition is for quashing order dated 26.11.2020 (Annexure P-12) passed by respondent No.1 under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), notice dated 02.09.2019 (Annexure P-2) issued under Section 13 (2) and notice dated 09.07.2020 (Annexure P-10) issued under Section 13 (4) of SARFAESI Act.

2. After arguing for sometime, learned counsel for petitioners when faced with judgments of Hon'ble Supreme Court in ***Union Bank of***

India v. Satyawati Tandon and others, 2010 (8) SCC 110, M/s South

Indian Bank Ltd. and others v. Naveen Mathew Philip and another, 2023(2) RCR (Civil) 771 seeks to withdraw this writ petition with liberty to petitioners to challenge proceedings under SARFAESI Act as well as to proceed against borrowers/legal heirs for alleged fraud committed against petitioners and to avail remedy (ies) available to them in accordance with law.

3. Dismissed as withdrawn with liberty as prayed for.
4. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

(AMARJOT BHATTI)
JUDGE

12.02.2024
snd

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