

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25708-2022 (O/M)
Date of decision : 28.02.2024

Ajit Singh and another Petitioners

Versus

Dewan Housing Finance Corporation Limited and another
..... Respondents

CORAM : HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE HARSH BUNGER

Present :- Mr. G.S. Nagpal, Advocate
for the petitioners.

Mr. Harsh Chopra, Advocate
for respondent No. 1.

Mr. Rohit Bansal, Senior DAG Punjab.
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LISA GILL, J. (ORAL)

1. Prayer in this petition is for quashing notice dated 07.10.2022 (Annexure P-5), issued by Tehsildar-cum-Executive Magistrate, Ludhiana East (respondent No. 2) pursuant to order dated 04.03.2020, passed by District Magistrate, Ludhiana under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
2. Learned counsel for respondent No. 1 points out that amount, in terms of order dated 11.11.2022, passed by this Court, has not been deposited. Furthermore, the present writ petition is not maintainable in view of decision rendered by Hon'ble the Supreme Court in ***Phoenix ARC Private Limited versus Vishwa Bharti Vidya Mandir and others, 2022 (1) RCR (Civil) 888.***

3. In view of the above, learned counsel for the petitioners seeks to withdraw the present writ petition with liberty to petitioners to avail remedy(ies) available to them in accordance with law.
4. Writ petition is accordingly dismissed as withdrawn with aforesaid liberty.
5. All pending application (s), if any, shall stand disposed of.

(LISA GILL)
JUDGE

(HARSH BUNGER)
JUDGE

28.02.2024
sjks

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No