

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 18528 of 2016
Decided on : 07.09.2016**

Rakesh Kumar

... Petitioner

Versus

Punjab and Sind Bank and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

PRESENT: Mr. R.K. Bajaj, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

The prayer made in this writ petition filed under Articles 226/227 of the Constitution, is for restraining respondents No.1 and 2 from auction sale of the demise shop of the petitioner, illegally and forcibly except in due course of law, as the petitioner had never taken any loan from the bank.

2. After arguing for sometime, when the Bench was not inclined to entertain the writ petition, learned counsel for the petitioner stated that he may be allowed to withdraw the present writ petition with liberty to the petitioner to avail the alternative remedy either by filing a Civil Suit in the Court of competent jurisdiction or seek any other remedy as may be available to him, in accordance with law.

3. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies, as may be available to him, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAMENDRA JAIN)
JUDGE**

September 07, 2016

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No