

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

CWP No.21738 of 2016

Date of Decision: 01.12.2016

M/s Flying Bikes (India)

----Petitioner

Versus

State of Punjab and others

----Respondents

**Coram: Hon'ble Mr. Justice Ajay Kumar Mittal
 Hon'ble Mr. Justice Harinder Singh Sidhu**

**Present: Mr. A.S. Gagrha, Advocate
 for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner has approached this Court by way of instant writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari quashing the demand notice dated 01.03.2016 (Annexure P-8) having been issued illegally to the petitioner and further quashing the order/letter dated 14.3.2016 (Annexure P-10), whereby respondents No.5 & 6 have illegally & arbitrarily denied to make the payment of dues, which were in fact payable by their borrower/debtor/defaulters and are related to the period much prior to the sale.

2. After arguing for sometime, learned counsel for the petitioner submitted that certain questions of fact are required to be proved as to whether the amount, which is claimed by respondent No.4 is payable by respondents No.5 and 6 or by the petitioner and prays that he may be allowed to withdraw the present writ petition with liberty to file the civil suit raising all the pleas as have been sought to be raised in the present writ petition or to approach the appropriate forum.

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 Dismissed as withdrawn.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

(Ajay Kumar Mittal)
Judge

01.12.2016
Atul

(Harinder Singh Sidhu)
Judge

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