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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) No.1981/2016 & CM No.8519/2016 (for stay).
M/S TANSIMI EDUCATIONAL SOCIETY Petitioner
Through: Mr. Sundeep Srivastava, Adv.
versus

PUNJAB NATIONAL BANK Respondent
Through: Ms. Bindu Das, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **08.03.2016**

CM No.8520/2016 (for exemption).

1. Allowed, subject to just exceptions.
2. The application stands disposed of.

W.P.(C) No.1981/2016 & CM No.8519/2016 (for stay).

3. The petition impugns (i) the letter dated 14th December, 2015 of the respondent Punjab National Bank declaring the petitioner as a wilful defaulter; (ii) the auction dated 5th February, 2016; and (iii) auction proceedings in pursuance thereto.
4. The counsel for the petitioner states that auction scheduled for tomorrow i.e. 9th March, 2016 has failed as no bid has been received by the respondent Bank and the respondent Bank has called the petitioner on 9th March, 2016 for exploring the possibility of amicable settlement.
5. The counsel for the respondent Bank appearing on advance notice confirms and further states that the notice dated 14th December, 2015 is only to show cause and not declaring the petitioner as wilful defaulter; subsequently a letter dated 1st March, 2016 has also been sent to the

petitioner for personal hearing before the Grievance Redressal Committee in this regard on 22nd March, 2016. It is thus stated that the prayer with respect to the letter dated 14th December, 2015 is not maintainable.

6. The counsel for the petitioner seeks to withdraw the petition with liberty to approach again if remains aggrieved.

7. Dismissed as withdrawn with liberty aforesaid and without prejudice to the contentions of the counsel for the respondent Bank that this Court has no territorial jurisdiction and the writ remedy is not available.

No costs.

RAJIV SAHAI ENDLAW, J

MARCH 08, 2016

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