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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) No.5405/2016 & CM No.22532/2016 (for stay).
M/S GREEN POWER INTERNATIONAL PVT LTD. Petitioner
Through: Mr. K.S. Pathania, Adv.

versus

STATE BANK OF INDIA AND ANR Respondents
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **02.06.2016**

1. The petition seeks a mandamus to the respondents no.1&2 State Bank of India (Bank) Stressed Assets Management Branch, New Delhi to refund the amount of Rs.64 lacs with 24% interest to the petitioner.
2. The petitioner claims to have bid for an immovable property at Noida and in pursuance to an Auction Notice by the respondents no.1&2 Bank and to have deposited the said sum of Rs.64 lacs. Refund thereof is claimed contending that the property has encumbrances/does not have a clean title.
3. As would be obvious from the above, the writ petition is for the relief of recovery of monies simplicitor.
4. Attention of the counsel for the petitioner has been drawn to my recent judgment in *Speed Track Cargo Vs. State Bank of Patiala* MANU/DE/0359/2016 and to the dicta of the Supreme Court in *State of Kerala Vs. M.K. Jose* MANU/SC/0869/2015.
5. The counsel for petitioner withdraws the petition with liberty to institute suit or other proceeding for recovery of money.
6. Dismissed as withdrawn with liberty aforesaid.

No costs.

RAJIV SAHAI ENDLAW, J

JUNE 02, 2016 'pp' ..

