

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18/1/2017

C O R A M

The Honourable Mr. Justice S. Manikumar
and
The Honourable Mr. Justice M. Govindaraj

Writ Petition No. 17893 of 2016

1. M/s. Bharat International Manufacturing & Trading Private Ltd
2. Shri. R. Vasan
3. Shri. Bharath Vasan ... Petitioners

Vs

1. State Bank of India
rep. By its Chief Officer
S. Murali Kumar
Stressed Assets Management Branch
Red Cross Buildings
II Floor
No. 32 Montieth Road
Egmore
Chennai 600 008.
2. M/s. Asset Reconstruction Company
(India) Ltd
Arcil Arms office
715 - C, 7th Floor
Spencer Plaza - Phase II
No. 769 Anna Salai
Chennai 600 002.
3. The Secretary to Government
Ministry of Finance
Union of India
Jeevan Deep Building
Parliament Street
New Delhi 1.
4. The Secretary to Government
Ministry of Law
Union of India
New Delhi. ... Respondents

(R.R.3 and 4 are suo motu impleaded as
per order dated 11/5/2016 by NKKJ and MVMJ
in W.P.No.17893 of 2016 and
WMP No.15590 of 2016.

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the records pertaining to the orders passed in O.A.No.50 of 2013 dated 2/2/2016, on the file of the Debts Recovery Tribunal - II, Chennai and quash the same.

For petitioners ... Mr.V.Bhiman
for M/s. Sampathkumar & Associates

For respondents ... Mr.K.Balamurali
for R.2.
Mr.V.P.Sengottuvel
for R.R.3 and 4.

O R D E R

(Order of the Court was made by S.Manikumar,J)

This writ petition has been filed praying to quash the order passed by the Debts Recovery Tribunal - II, Chennai, in O.A.No.50 of 2013 dated 2/2/2016.

2. On the averments made and considering the material on record, a Hon'ble Division Bench of this Court, vide order, dated 11/5/2016, has granted interim stay of the impugned proceedings.

3. On this day, when the matter came up for further hearing, Mr.V.Bhiman for M/s. Sampathkumar & Associates, learned counsel on record, submitted that the instant writ petition was filed, when there was no Chairperson for the Debts Recovery Appellate Tribunal. He further submitted that after filing of the instant writ petition, a Hon'ble Presiding Officer has been appointed and that therefore, the writ petitioners would pursue their remedy in the appeal already filed against the order impugned. On the above, he seeks for permission to withdraw the writ petition and he has also made an endorsement to that effect.

4. Placing on record the above, instant writ petition is dismissed as withdrawn. No costs. Interim order, dated 11/5/2016, granted in W.M.P.No.15590 of 2016 in W.P.No.17893 of 2016, stands vacated and the same is closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

mvs

To:

1. The Secretary to Government
Ministry of Finance
Union of India
Jeevan Deep Building
Parliament Street
New Delhi 1.

2. The Secretary to Government
Ministry of Law
Union of India
New Delhi.

+1cc to M/s.Sampathkumar Associates Advocates sr.4008

+1cc to M/s.V.P.Sengottuvel, Advocate sr.3700

Writ Petition No.17893 of 2016

rp(co)
ss(8/2/2017)

सत्यमेव जयते

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