

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

**CWP No. 9714 of 2017
Decided on : 08.05.2017**

Jagan Nath and another

... Petitioners

Versus

Bank of Maharashtra

... Respondent

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

PRESENT: Mr. Ravish Bansal, Advocate, for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Mandamus*, for directing the respondent Bank to consider and decide the representation dated 07.04.2017 (Annexure P-9), submitted by the petitioners for consideration of settlement offer of ₹ 80 lacs by sale of their sole residential house for which they have already arranged a prospective buyer, who has issued a cheque of ₹ 10 lacs. A further prayer for issuance of a writ in the nature of *Certiorari* has also been made for setting aside the sale notice dated 14.03.2017 (Annexure P-6), issued by the respondent Bank.

2. After arguing for sometime, when the Bench was not agreeing with the learned counsel for the petitioners and had observed that the writ petition was totally an abuse of the process of law, learned counsel for the petitioners submitted that he may be allowed to withdraw the present writ petition.

3. Dismissed as withdrawn.

4. A copy of this order be forwarded to the respondent Bank for information, so as to avoid such type of frivolous petition being filed by the petitioners in future.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAMENDRA JAIN)
JUDGE**

May 08, 2017

J.Ram

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No