

\$~37

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 1970/2017**  
**KRISHAN DHINGRA**

..... Petitioner

Through : Mr.Sanjeev Bhandari, Advocate.

versus

**INDIAN OVERSEAS BANK & ORS**

..... Respondents

Through : Mr.Kunal Tandon & Mr.Surendra  
Kumar, Advocates for banks.

**CORAM:**

**HON'BLE MS. JUSTICE INDIRA BANERJEE**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **03.03.2017**

CAV No.210/2017

Counsel as above appears for Caveator/respondents.

The caveat is discharged.

CM No.8718/2017

Exemption allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 1970/2017 & CM No.8717/2017

Counsel appearing for the petitioner submits that the petitioner wishes to withdraw the writ petition. He, however, prays that a month's time be given to the petitioner to vacate the residential premises being the subject matter of proceedings under the

Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act).

Subject to the petitioner furnishing a written undertaking by 6<sup>th</sup> March, 2017, to vacate the said premises within 03.04.2017, the petitioner's possession of the said premises shall not be disturbed by the respondents till 03.04.2017.

The petitioner shall also be allowed to participate in the auction that may be held for sale of the said premises. In default of submission of an undertaking in terms of this order, the respondents may proceed against the petitioner.

The writ petition is dismissed as withdrawn along with the connected miscellaneous application.

Copy of this order be given *dasti* to the Advocate of the petitioner under signature of the Court Master.

**INDIRA BANERJEE, J**

**YOGESH KHANNA, J**

**MARCH 03, 2017**

*M*