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

+ W.P.(C) 2447/2017 & CM No. 10539/2017 (delay)

M/S IMPACT ENTERPRISES ..... Petitioner

Through Mr. Sanjeev Bhandari and  
Mr. Prateek Kumar, Advocates.

versus

UNION BANK OF INDIA ..... Respondent

Through Mr. Mukul Talwar, Senior Advocate  
along with Mr. Aditya Madan,  
Advocate for respondent No. 1. .

**CORAM:**

**HON'BLE MR. JUSTICE SIDDHARTH MRIDUL**

**HON'BLE MS. JUSTICE DEEPA SHARMA**

**ORDER**

% **30.11.2017**

Mr. Sanjeev Bhandari, learned counsel appearing on behalf of the petitioner states that a perusal of the reply filed on behalf of the Union Bank of India/respondent in TSA No. 09/2014 in SA No. 118/2013 (transferred from DRT-I) titled as “*M/s Impact Enterprises vs. Union Bank of India*”, would clearly reflect that the latter has appropriated sums in excess of the decree dated 6<sup>th</sup> March, 2014, passed by the Debts Recovery Tribunal in TA No.1/2013 & TA No. 4/2013.

Mr. Mukul Talwar, learned Senior Counsel appearing on behalf of the Union Bank of India, on instructions, strongly refutes the above statement.

In this view of the matter, Mr. Sanjeev Bhandari, learned counsel appearing on behalf of the petitioner seeks leave to withdraw this petition with liberty to institute an appropriate application before the Debts Recovery Tribunal, in accordance with law, if so advised.

Leave and liberty granted.

The petition is dismissed as withdrawn and disposed off accordingly. Pending application also stands disposed off.

Needless to state that we have not expressed any opinion on the merits of the case and that rights and contentions as may be available to the parties, in accordance with law, shall be available to them in the proposed proceedings, if any filed.

**SIDDHARTH MRIDUL, J**

**DEEPA SHARMA, J**

**NOVEMBER 30, 2017**

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