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

+ **W.P.(C) 5774/2017**

SUSHIL TANWAR

..... Petitioner

Through: Ms. Anshu Priyanka and
Mr. Utkarsh Advocates.

versus

PUNJAB NATIONAL BANK & ORS

..... Respondents

Through: Mr. Jagdeep Kishore, Mr. S.S. Katyal,
Mr. Rajesh Katyal and Mr. Sanjay
Katyal, Advocates for R-1/PNB with
Mr. Praveen Gupta, Chief Manager,
PNB.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

% **15.09.2017**

1. On 01.08.2017, while observing the lackadaisical manner in which the respondent No.1/Bank was pursuing the present petition, General Manager (Law) of the respondent No.1/Bank was directed to explain the inaction on the part the Bank in failing to appear in the present matter when an advance copy was duly supplied to the nominated counsel and when the counsel did appear, the reasons for giving him half baked instructions.
2. Pursuant to the aforesaid order, an affidavit has been filed by the Circle Head and Dy. General Manager of the respondent No.1/Punjab National Bank, expressing regret for the lapse on the part of the concerned officers in briefing the counsel. The said affidavit is taken on record.
3. Mr. Kishore, learned counsel for the respondent No.1/bank states that between the last date of hearing and today, the appeal filed by the petitioner before the DRAT came to be dismissed vide order dated 30.08.2017, for

non-compliance of the mandatory condition of pre-deposit. A copy of the said order has been filed by the respondent No.1/bank along with some other documents under index dated 11.9.2017.

4. Learned counsel for the petitioner confirms the said position and states that in view of the subsequent development, she may be permitted to withdraw present petition while reserving the right of the petitioner to seek legal course against the order dated 30.08.2017, passed by the learned DRAT in Appeal No. 124/2016.

5. Leave as prayed for, is granted. The petition is dismissed as withdrawn.

HIMA KOHLI, J

A.K. CHAWLA, J

SEPTEMBER 15, 2017

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