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

+ W.P.(C) 7417/2017, CM No. 30623/2017

ANIL KUMAR

..... Petitioner

Through: Mr. Davinder Kumar, Adv.

versus

THE DELHI STATE COOPERATIVE BANK
LTD. & ORS

..... Respondents

Through: Mr. Anand Yadav and Ms. Anita
Tomar, Advs. for R1.
Mr. Sachin Nahar, Adv. for R3.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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31.08.2017

Mr. Anand Yadav, learned counsel appearing for the respondent no.1 has taken a preliminary objection on the maintainability of the writ petition on the ground that respondent Bank is neither a State within the meaning of Article 12 of the Constitution of India nor the respondent no.1 is discharging any public duty. He also qualifies his submission by stating that no averment has been made in the writ petition that the impugned action is in violation of any statutory rules. He would rely upon the following two judgments in support of his contention:

1. *Anand Prakash v. Delhi State Co-operative Bank Ltd., W.P.(C) 105/2010 decided on 20th April, 2011.*
2. *Prem Singh Verma v. Delhi State Co-operative Bank Ltd., W.P.(C) 3377/2003 decided on 10th January, 2013.*

At this stage, Mr. Devinder Kumar, learned counsel appearing for the petitioner seeks to withdraw the writ petition with liberty to approach an appropriate forum in accordance with law.

Granting liberty to the petitioner to approach an appropriate forum in accordance with law, the petition and the connected application are dismissed as withdrawn.

V. KAMESWAR RAO, J

AUGUST 31, 2017/jg