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

\+ LPA 208/2016

AMISH JAIN & ANR ..... Appellants

Through: Appellant no. 1 in person.

versus

ICICI BANK LTD ..... Respondent

Through: Mr. Punit K. Bhalla, Advocate.

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MS. JUSTICE DEEPA SHARMA

O R D E R

% **20.12.2017**

C.M. No. 46526/2017 (stay)

After lengthy arguments, the appellant who appears in person seeks leave to withdraw this application in view of the proviso to Rule 9 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 which stipulates as follows:-

> *" Provided further that if sale of immovable property by any one of the methods specified by sub-rule (5) of rule 8 fails and sale is required to be conducted again, the authorised officer shall serve, affix and publish notice of sale of not less than fifteen days to the borrower, for any subsequent sale."*

It is an admitted position that the notice impugned in the present application is a subsequent notice and that a prior public notice of sale has been published in relation to the subject property on 18.10.2017.

The application is dismissed as withdrawn and disposed off accordingly.

<u>LPA 208/2016</u>

List on the date already fixed i.e. 19.02.2018.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

DECEMBER 20, 2017

ss