

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.34054 of 2017
and
W.M.P.Nos.37780 & 37781 of 2017

George Koshy

.. Petitioner

Vs.

1.The Debt Recovery Appellate Tribunal
Chennai - 600 002.

2.The Recovery Officer,
Debt Recovery Tribunal,
Karnataka at Bangalore.

3.State Bank of India
Stressed Assets Resolution Centre,
1st floor, Bangalore city branch,
J.C.Road, Bangalore - 560 002,
Rep. by its Asst. General Manager.

4.Mr.Muneem Atther,
Chairman Pro-Grid Developers Ltd.,
No.22/2, 3rd Floor,
NJ Chambers, Tasker Town,
Bangalore - 560051.

5. Pro-Grid Developers Ltd.,
Rep.by its Managing Director,
Mr.B.N.Sudheendra,
No.22/2, 3rd floor,
N.J.Chamber, Tasker Town,
Bangalore - 560051.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records relating to the exparte order dated 31.10.2012 made in O.A.No.256 2010 on the file of the 2nd Respondent Debt Recovery Tribunal, Bangalore and the consequential order dated 9.11.2017 made in RA 114 of 2014 on the file of the 1st Respondent Debts Recovery Appellate Tribunal at Chennai in dismissing the petitioners R.A.No.114 of 2014 and

thereby confirming the exparte order dated 31.10.2012 made in O.A.No.256 of 2010 on the file of the 2nd Respondent Debt Recovery Tribunal, Bangalore and quash the same.

For Petitioner : Mr.B.Chandrasekaran

ORDER

(Order of this Court was made by S.MANIKUMAR, J.)

Writ Petition has been filed praying for issuance of a Writ of Certiorari, calling for the records relating to the exparte order dated 31.10.2012 made in O.A.No.256 2010 on the file of the 2nd Respondent Debt Recovery Tribunal, Bangalore and the consequential order dated 9.11.2017 made in RA 114 of 2014 on the file of the 1st Respondent Debts Recovery Appellate Tribunal at Chennai in dismissing the petitioners R.A.No.114 of 2014 and thereby confirming the exparte order dated 31.10.2012 made in O.A.No.256 of 2010 on the file of the 2nd Respondent Debt Recovery Tribunal, Bangalore and quash the same.

2. On 24.04.2018, when the matter came up for hearing, learned counsel for the petitioner submitted that the bank has been approached for settlement, which Mr.M.Devaraj, learned counsel for the bank did not dispute. Recording the same, the matter was posted for reporting on 04.06.2018.

3. On this day, when the matter came up for further hearing, learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition. He has also made an endorsement to that effect.

4. Placing on record the above, writ petition is dismissed as withdrawn. No Costs. We make it clear that, no leave is granted to file a fresh writ petition on the same cause of action. Consequently, the connected miscellaneous petitions are closed.

सत्यमेव जयते

-s/d-

Assistant Registrar (CS-IX)

True Copy

Sub-Assistant Registrar

dm

To

1.The Debt Recovery Appellate Tribunal
Chennai - 600 002.

2.The Recovery Officer,
Debt Recovery Tribunal,
Karnataka at Bangalore.

+1 CC to Mr.M. Devaraj, Advocate sr 34691.

W.P.No.34054 of 2017
and

W.M.P.Nos.37780 & 37781 of 2017

SP(08/06/2018)



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