

CWP-21566-2018
Date of decision : 04.09.2018

Daljeet Kaur and others

..... Petitioners

VS

ICICI Bank Limited and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present:- Mr.Nonish Kumar, Advocate
for the petitioners.

AJAY KUMAR MITTAL, J. (Oral)

The petitioners have approached this Court seeking a writ of mandamus directing the respondents to release the original sale deed of House No.121, Ward No.5, Sethan Mohalla, Pundri, District Kaithal to them.

2. In respect of the claim made by the petitioners in the writ petition, it was urged that the Civil Judge (Sr. Division), Karnal had dismissed Petition No.3 of 2017 filed under Section 372 of the Indian Succession Act (for short, 'the Act') for grant of Succession Certificate on 10.05.2018 and on that premises, the respondents are declining to release the original sale deed. It was not disputed that the order dated 10.05.2018 (Annexure P-6) passed by Civil Judge (Sr. Division), Karnal exercising the power under the Act, is an appealable order under Section 384 of the Act.

3. Learned counsel for the petitioners states that he may be allowed to withdraw the present writ petition with liberty to the petitioners to take recourse to the remedies as available to them, in accordance with

law.

4. Dismissed as withdrawn. It shall, however, be open to the petitioners to take recourse to the remedies, as may be available to them, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

04.09.2018

(AVNEESH JHINGAN)
JUDGE

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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No