

Gupta Tyre House and others

..... Petitioners

VS

State Bank of India and another

..... Respondents

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

Present:- Mr.Nitin Jain, Advocate
for the petitioners.

Mr.Gaurav Goel, Advocate
for the respondents.

AJAY KUMAR MITTAL, J. (Oral)

This writ petition has been filed under Articles 226/227 of the Constitution of India for directing the respondents to decide the representation dated 07.08.2018 (Annexure P-4) sent to the respondents for one time full and final settlement.

2. Mr. Goel, Advocate appears for the respondent-bank and states that proceedings initiated under Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (for short, 'the SARFAESI Act') are being withdrawn. However, a prayer was made by learned counsel for the respondent-bank that liberty be granted to the bank to issue fresh notice under the SARFAESI Act.

3. In view thereof, learned counsel for the petitioners submitted that the present writ petition has become infructuous and may be disposed of as such.

4. Ordered accordingly. It is, however, observed that respondent-bank shall be at liberty to issue fresh notice under the provisions of SARFAESI Act in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

11.09.2018

anju

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No