

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP No. 28750 of 2018
Decided on : 03.12.2018**

Rehbar Foundation

. . . Petitioner(s)

Versus

Zonal Manager, Punjab and Sind Bank, Patiala and others

. . . Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

PRESENT: Mr. Vivek Singla, Advocate
for the petitioner(s).

Mr. P.K. Arora, Advocate
for the respondent(s)-caveator.

AJAY KUMAR MITTAL, J. (Oral)

The challenge in this writ petition is to the order dated 14th July, 2017 (Annexure P-8), whereby, loan accounts of the petitioner have been declared as Non-Performing Asset (NPA) as well as petitioner sought quashing of notice dated 30th October, 2017 (Annexure P-12), issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short 'the SARFAESI Act, 2002') and notice dated 04th October, 2018 (Annexure P-21), issued under Section 13(4) of the SARFAESI Act, 2002. Further prayers for issuing directions to the respondent to accept the re-structuring of the loan account and accept the case of the petitioner under One Time Settlement, have been made.

2. Learned counsel for the petitioner states that inadvertently the appropriate and comprehensive prayers could not be incorporated in the writ petition. Accordingly, he may be allowed to withdraw the present writ petition with liberty to the petitioner to file fresh writ petition on the same

cause of action by making all the prayers and incorporating the necessary facts.

3. Dismissed as withdrawn with liberty as prayed for. It is, however, clarified that the office shall tag the records of the present writ petition along with the fresh writ petition as and when the same is filed.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

December 03, 2018

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No