

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

**CWP No. 29349 of 2018
Decided on : 26.11.2018**

Rakesh Sood

. . . Petitioner(s)

Versus

Fullerton India Credit Company Ltd. and others

. . . Respondent(s)

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

PRESENT: Mr. Sanjiv Gupta, Advocate
for the petitioner(s).

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ in the nature of *Certiorari*, for quashing of the notice dated 23rd October, 2018 (Annexure P-15) and for issuance of a writ in the nature of *Mandamus*, for issuing directions to respondents No.1 and 2 to settle the accounts by entering into tripartite agreement. Besides above, a further prayer for staying the operation of notice dated 23rd October, 2018 or in the alternative staying the auction of the property in pursuance to the aforesaid notice, has been made.

2. Learned counsel for the petitioner submitted that certain averments are required to be incorporated, which have been missed inadvertently in the present writ petition. A request was made that 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 furnishing better and correct particulars. Learned counsel for the petitioner further submitted that respondent No.4 had also approached this Court by way of CWP No. 10181 of 2018, therefore, records of that writ petition be also attached with the fresh writ petition as and when the same is filed by the present petitioner.

3. Dismissed as withdrawn with liberty as prayed for. The office shall tag the records of CWP No. 10181 of 2018 along with the fresh writ petition as and when the same is filed.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

November 26, 2018

J.Ram

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*