

CWP-8203-2018
Date of decision : 23.10.2018

M/s B & R Mineral Water Industries

..... Petitioner

VS

Authorised Officer, Bank of India, Karnal

..... Respondent

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

Present:- Mr.Manjeet Singh, Advocate
for the petitioner.

Mr. KPS Dhillon, Advocate
for the respondent.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India praying for issuance of a writ in the nature of certiorari quashing all the actions being taken by the respondent-bank in pursuance to notice dated 01.07.2016 (Annexure P-4) issued under Section 13 (2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. Learned counsel for the respondent-bank submitted that the petitioner has submitted an application for One Time Settlement Scheme (OTS) on 05.07.2018 and which was accepted on 20.07.2018 and conveyed on 21.07.2018. It was not disputed by learned counsel for the respondent-bank that ₹2 lakhs were deposited alongwith the application on 05.07.2018 and another sum of ₹6,40,000/-was deposited on 21.07.2018. It was categorically stated by learned counsel for the respondent-bank that no amount thereafter has been deposited and, therefore, the OTS had been cancelled on 17.10.2018.

3. In view of the above, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to approach the bank or to take recourse to the alternative remedy as available to it, in accordance with law.
4. Dismissed as withdrawn. It shall, however, be open to the petitioner to take recourse to the remedies, as may be available to it, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(AVNEESH JHINGAN)
JUDGE

23.10.2018
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No