

\$~47

\*

+

**IN THE HIGH COURT OF DELHI AT NEW DELHI**

W.P.(C) 3556/2018

SHABANA PARVEEN

..... Petitioner

Through: Mr. Rachit Mittal, Adv. with  
Mr. Abhishek Choudhary, Adv.

versus

CENTRAL BANK OF INDIA & ORS

..... Respondents

Through: None

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**

% **11.04.2018**

**CM No. 14034/2018**

1. Allowed, subject to all just exceptions.

**W.P.(C) 3556/2018 & CM No. 14033/2018**

2. After some arguments learned counsel for the petitioner seeks to withdraw the writ petition with liberty to take recourse to appropriate proceedings as mandated in law and to make a representation to respondent no.1 bank for extension of time to pay the OTS amount.

3. It is not disputed that the petitioner had taken out an application under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short 'SARFAESI Act'). This application was numbered SA 51/2018.

3.1 However, DRT-III, however, vide order dated 04.04.2018 has dismissed SA 51/2018. The petitioner claims that an OTS was entered into with the respondent no. 1 bank, whereby, the entire sum of Rs. 24 lacs was to be paid by 30.03.2018. The petitioner, concededly, till date, has paid only a sum of Rs. 1.77 lacs.

3.2 The petitioner, I am told, would require extension of one month to pay the balance sum. It is also the petitioner's case that she is living with a large family in the secured asset, which is a residential premises. Counsel for the petitioner says that the family comprises of a child, who is to take his class 12 exams and another person, who is differently abled.

4. Given the aforesaid circumstances, the petitioner is granted permission to withdraw the writ petition in order to enable her to take recourse to an appropriate remedy as mandated by law. In addition liberty is also granted to the petitioner to make a representation for extension of time for paying the OTS amount. Upon a representation being made by the petitioner for extension of time to pay the OTS amount, respondent no.1 bank will consider the same, sympathetically, keeping in mind her family circumstances.

4.1 The writ petition is disposed of with the aforesaid observations.

5. Consequently, pending application stands closed.

6. *Dasti* under the signature of the Court Master.

**RAJIV SHAKDHER, J**

**APRIL 11, 2018**

SRwt/cks