

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.8434 of 2019
Date of decision:11.04.2019

Gurcharan Singh

... Petitioner

Vs.

Shri Ram Transport Finance Company Limited ... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

AMIT RAWAL J. (Oral)

Concededly, the proceedings before the Arbitrator in pursuance to the loan agreement containing arbitration clause are pending adjudication. The petitioner has approached this Court under Articles 226/227 of the Constitution of India claiming the following relief:-

“Civil Writ Petition under Articles 226/227 of Constitution of India for issuance of a writ in the nature of mandamus directing the respondent to release the Ashoka Leyland AL Comet Gold 1613 HFBT Engine No.PAH639041 Chasis No.MAIA3DWCIAANB5352, Registration No.PB08-BQ-9007 and gave the custody of the said vehicle to the petitioner so that the petitioner can sell the same and deposit the sale amount of above said vehicle as installment of loan.

It is further prayed that in the peculiar facts and

circumstances of this case, this Hon'ble Court may be pleased to issue any other appropriate writ, order of direction that it deems fit.”

The aforementioned relief can always be sought before the Arbitrator as per the amended provisions of Arbitration and Conciliation Act, 1996.

Faced with this situation, learned counsel for the petitioner seeks leave of the Court for withdrawal of the petition with liberty aforementioned.

Ordered accordingly.

(AMIT RAWAL)
JUDGE

April 11, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No