

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

CWP-13034-2019

Decided on: 17.05.2019

Roopan Rai Mahtani

.... Petitioner

Versus

Kotak Mahindra Bank Ltd. and others

.... Respondents

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

Present: Mr. Sandeep Wadhawan, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J (ORAL)

The petitioner has approached this Court under Article 226 of the Constitution of India, inter alia, for issuance of a writ in the nature of certiorari for quashing the demand notice dated 04.10.2017 (Annexure P-5) issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act') and notice dated 06.02.2019 (Annexure P-9) issued under Section 13(4) of the SARFAESI Act, passed by the respondent-bank.

2. Learned counsel for the petitioner submitted that inadvertently certain necessary averments could not be incorporated and essential documents appended alongwith the writ petition. Accordingly, prayer was made that he may be allowed to withdraw the present petition with liberty to the petitioner to file fresh one on the same cause of action with better particulars.

3. Dismissed as withdrawn with liberty as prayed for.

**(AJAY KUMAR MITTAL)
JUDGE**

**(MANJARI NEHRU KAUL)
JUDGE**

17.05.2019

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No