

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 31084 of 2018
Decided on : 22.01.2019

Luminary Professional Services (P) Ltd.

. . . Petitioner(s)

Versus

District Magistrate, Bathinda and others

. . . Respondent(s)

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

PRESENT: Mr. K.K. Goel, Advocate
for the petitioner(s).

Mr. Pankaj Gupta, Addl. AG, Punjab.

Mr. Deepak Gupta, Advocate, for respondent No.2.

AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, seeking a writ of *Mandamus*, for directing respondent No.3 to execute the order dated 20.02.2018 (Annexure P-1), passed by the District Magistrate, Bathinda – respondent No.1.

2. At the outset, Mr. Deepak Gupta, Advocate, appearing on behalf of respondent No.2 submitted that the writ petition at the behest of the recovery agent i.e. the petitioner in the present case, is not maintainable, even though he may be authorized by the Bank itself.

3. Accordingly, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition. However, liberty be granted to the UCO Bank to approach this Court by way of fresh writ petition for the relief as sought to be claimed in the present writ petition.

4. Dismissed as withdrawn. It shall, however, be open to the UCO Bank to take recourse to remedies, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(MANJARI NEHRU KAUL)
JUDGE**

January 22, 2019

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No