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

+ **W.P.(C) 4678/2019**

RAMESH CHAND

..... Petitioner

Through: Mr. Harpreet Singh with Mr. Sanjay
Baniwal and Mr. Devesh Dubey,
Adv.

versus

SARVYAPO CO-OPERATIVE THRIFT AND ORS.

..... Respondent

Through: Mr. Rishikesh Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

03.05.2019

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C.M. No. 20726/2019

Exemption allowed, subject to all just exceptions. The application stands disposed of.

W.P.(C) 4678/2019 & C.M. No. 20725/2019

The petitioner has preferred the present writ petition to assail the recovery notice issued against him for recovery of Rs. 1,93,224/- in pursuance of an arbitral award dated 23.06.2016 passed by the Arbitrator appointed under Section 71 of the Delhi Co-operative Societies Act. The submission of the petitioner that he was never served in those proceedings

and the award passed against him is an ex parte award. He claims that he did not stand surety to secure the loan in respect whereof the award has been passed. The petitioner has an alternative efficacious remedy available to him of preferring a statutory appeal before the Delhi Co-operative Tribunal.

At this stage, counsel for the petitioner wishes to withdraw the present petition with liberty to file the appeal before the Tribunal.

Dismissed as withdrawn.

VIPIN SANGHI, J

REKHA PALLI, J

MAY 03, 2019

N.Khanna