

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

**CWP-18141-2020 (O&M)
Date of decision: 16.11.2020.**

Nirmala Devi

.....Petitioner

VS

ICICI Bank Limited and others Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present :- Mr. Vinod Gupta, Advocate
 for the petitioner.

AJAY TEWARI, J. (Oral)

The present writ petition has been filed for issuance of a writ in the nature of Prohibition restraining the respondents to take physical possession of the pledged/mortgaged property.

Notice of motion.

Mr. Sandeep Suri, Advocate has entered appearance on behalf of the respondent-bank.

Pursuant to the order dated 30.10.2020, Mr. Vinod Gupta, Advocate on instructions from his client, who is sitting with him, states that the petitioner undertakes to deposit an amount of Rs.15 lakh on or before 30.11.2020 and thereafter pay a minimum of Rs.1 lakh per month and further undertakes that in the event of any single default the respondent-Bank may proceed against the property of the petitioner and the petitioner undertakes not to challenge that action of the Bank before any Forum.

Mr. Sandeep Suri, Advocate has pointed out that the amount

which is owed by the petitioner is not a loan amount but a cash credit amount in which the petitioner has not paid anything for the last about two years. He has further pointed out that apart from the cash credit limit availed by the petitioner, her son had also obtained the same cash credit limit and had mortgaged his half share in the same house. He has further pointed out that son of the petitioner had earlier filed a writ petition bearing CWP No.17139 of 2020 which was dismissed as withdrawn and even no liberty was granted to him and this petition is a clear abuse of the process of law.

Faced with this situation, the counsel for the petitioner prays for permission to withdraw this petition.

Dismissed as withdrawn.

Since the main case has been dismissed as withdrawn, the pending application(s), if any, also stands dismissed.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

16.11.2020
priyanka

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No