

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

CHITRA
SANJAY
SONAWANE

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Date: 2021.08.26
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WRIT PETITION NO.1660 OF 2021

Naresh J. Goyal] **Petitioner.**

Vs.

IDBI Bank Ltd. & Anr.] **Respondents.**

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Mr.Darius Khambata, Senior Advocate a/w Mr. Naval Agarwal a/w Ameet Naik and Mr. Abhishek Kale i/b Naik & Co. for petitioner.

Mr.Piyush Raheja a/w Ms Nidhi Singh i/b India Law LLP for Respdt. no.1.

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**CORAM : K.K. TATED &
PRITHVIRAJ K. CHAVAN, JJ.**

DATE : 24th AUGUST, 2021.

P.C.

1. Heard learned Senior Counsel Mr.Darius Khambata for petitioner and Mr.Piyush Raheja for respondent.

2. By this petition, under Article 226 of the Constitution of India, the petitioner is challenging order dated 20.7.2021 issued by the Deputy General Manager, NPA Management group of IDBI Bank.

3. When this Court declined to entertain this petition as alternate efficacious remedy is available to the petitioner i.e. to file an appropriate application before the Review Committee on wilful defaulter, learned Senior Counsel for the petitioner submits that the petitioner may be permitted to withdraw the petition with liberty to file an application before the said Committee and said Committee to decide the same on its own merits. He submits that learned Advocate on record is ready to give in writing for withdrawal of the present petition. Same is accepted.

4. Learned Counsel for the Bank submits that if appropriate application is filed, same will be decided on its own merits.

5. In view of these facts, following order is passed.

a) Writ petition stands dismissed as withdrawn with liberty to the petitioner to file an appropriate application before the Review Committee on wilful defaulters, on or before 09.09.2021.

b) If application is filed on or before 09.09.2021, the Review Committee on wilful defaulters to decide the same on its own merits.

c) All contentions of both parties are kept open.

d) No order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]

[K. K. TATED, J.]