

CWP-2816-2021

Date of Decision: 10.3.2021

M/s Star Traders

..... Petitioner

Versus

Canara Bank and another

.....Respondents

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

Present: Mr. A.S. Gagrha, Advocate, for the petitioner.

AJAY TEWARI, J. (ORAL)

This petition has been filed for quashing of the impugned sale notice dated 12.1.2021 (Annexure P-4) and possession notice dated 23.9.2016 (Annexure P-3) issued under Section 13(4) of SARFAESI Act, 2002 (for short, 'the Act') and notice dated 3.5.2016 (Annexure P-2) issued under Section 13(2) of the Act.

On advance notice, Mr. K.P.S. Dhillon, Advocate appears on behalf of the Canara Bank and states that during the pendency of the petition, the possession of the property was taken over by the Bank. The auction was conducted and the entire money has been received and sale has been confirmed. Property has been handed over to the purchaser.

Learned counsel for the petitioner states that now he has come to know that the property has been sold and the sale certificate has been issued. He prays for permission to withdraw the present petition with liberty to file fresh one on the same cause of action after impleading all the necessary and proper parties.

Prayer is allowed.

Dismissed as withdrawan with liberty as prayed for.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

10.3.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No