

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

CWP-4400-2023

Date of decision: 02.03.2023

M/S CHITTOSHO MOTORS AND ORS

.....Petitioners.

vs.

INDIAN BANK

.....Respondent.

**CORAM: - HON'BLE MR JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: - Mr. Aalok Jagga, Advocate
for the petitioners.

Ms. Jasleen Kaur, Advocate
for the respondent.

TEJINDER SINGH DHINDSA, J. (ORAL)

Challenge in the instant petition is to the sale notices dated 31.01.2023 at Annexure P-12 and 03.02.2023 at Annexures P-13 and P-14 issued by the respondent-Bank vide which the properties of the petitioners are being put to sale.

The contention raised by counsel is that the OTS proposal is under consideration and for which even upfront amount of 10% had been deposited and as such it will not be open for the creditor-Bank to proceed further in the matter while OTS proposal is under consideration.

Since an advance copy of the petition already stood served upon the respondent-Bank, Ms. Jasleen Kaur, Advocate has entered appearance on behalf of the respondent-Bank and informs the Court that vide e-mail dated 01.03.2023, the decision has been taken as regards rejection of the OTS proposal put forth. Further the petitioners have been requested to share their account details so that the upfront amount of Rs.1,30,00,000/- that has been paid can be refunded.

A copy of the e-mail dated 01.03.2023 has even been shared with the counsel for the petitioners in court today.

Confronted with such a situation and development, learned counsel for the petitioners seeks withdrawal of the writ petition with liberty to avail legal recourse.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(SANJIV BERRY)
JUDGE

02.03.2023
kv

whether speaking/non speaking	yes/no
whether reportable/non reportable	yes/no