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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM-16104-CWP-2023 in/and
CWP-7552-2021

Date of Decision: 24.01.2024

Rajesh Narang

..... Petitioner

Versus

Punjab National Bank

..... Respondent

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MRS. JUSTICE AMARJOT BHATTI**

Present: Mr. Davinder Singh Khurana, Advocate
for the petitioner.

Mr. D.K. Gupta, Advocate and
Mr. Rishav Kamboj, Advocate
for respondent-Bank.

LISA GILL, J. (Oral)

CM-16104-CWP-2023

1. Prayer in this application is for placing on record reply to main petition alongwith Annexures R-1 to R-5.

2. Application is allowed as prayed for. Reply to main petition alongwith Annexurs R-1 to R-5 are taken on record, subject to just exceptions.

CM is accordingly, disposed of.

CWP-7552-2021

1. Prayer in this writ petition is for quashing impugned letter dated 06.02.2021 (Annexure P-7) and dated 31.12.2020 (Annexure P-6) issued by respondent-Bank. There is a further prayer for issuance of directions to respondent-Bank to refund the earnest money of Rs. 12,71,500/- with interest @ 18% per annum deposited by petitioner pursuant to sale notice.

2. Learned counsel for petitioner submits that in view of judgments of Hon'ble the Supreme Court of India in *Union Bank of India v. Satyawati*

Tandon and others, 2010(8) SCC 110, M/s South Indian Bank Ltd. and others

v. Naveen Mathew Philip and another, 2023(2) RCR (Civil) 771 and Phoenix ARC Private Limited vs. Vishwa Bharti Vidya Mandir and others, 2022 (1) RCR (Civil) 888, petitioner may be permitted to withdraw this writ petition with liberty to avail remedy/remedies available to him in accordance with law.

3. Dismissed as withdrawn with liberty as aforementioned, without any expression of opinion on the merits of matter.

4. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(LISA GILL)
JUDGE

24.01.2024
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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No