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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 13654/2024**

**M/S SANMATI COATCH PRIVATE LIMITED & ORS.**

.....Petitioners

Through: Mr. Akhilesh Kumar Singh,  
Adv.

versus

**THE GOVERNMENT OF NCT OF DELHI & ANR.**

.....Respondents

Through: Mr. Avishkar Singhvi, ASC-  
GNCTD with Mohd. Irshad,  
Ms. Nasreen and Mr. Kunal  
Raj, Advs. for R-1  
Mr. Janendra Lal, Mr. Yashmin  
Tarapore and Mr. Jaiendra Lal,  
Advs. for R-2/Union Bank of  
India.

**CORAM:**

**HON'BLE MR. JUSTICE DHARMESH SHARMA**

**ORDER**

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**27.09.2024**

**CM APPL. 57125/2024 (Ex.)**

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

**W.P.(C) 13654/2024**

3. The petitioners are invoking writ jurisdiction of this Court under Article 226 and 227 of the Constitution of India, 1950 for directions to the respondent No.2/Union Bank of India for not disturbing its possession with regard to property bearing No. J-17/18 or J-17/08, Gali No.5, Sade Teen Pusta, Kartar Nagar, Shahdara,



Delhi-110053, which is stated to be belonging to the petitioner No.5, thereby seeking quashing of the orders dated 30.08.2024 and 31.08.2024 passed by learned Chief Judicial Magistrate, Karkardooma Courts, Delhi.

4. Learned counsel for the respondent No.1 is present on advance notice.

5. Learned counsel for the petitioner No.5 submits that the bank is proceeding against the petitioner No.5, who only stood as 'security' although there are sufficient movable and immovable properties belonging to the principal debtors, which are not sought to be attached.

6. After some arguments, learned counsel for the petitioners requests permission to withdraw the present writ petition with liberty to pursue appropriate remedy before the Debt Recovery Tribunal.

7. Accordingly, the present writ petition is dismissed as withdrawn without prejudice.

**DHARMESH SHARMA, J.**

**SEPTEMBER 27, 2024/sm**