

GAHC010051002024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1450/2024

1: M/S VICTOR AND COMPANY AND ANR HAVING ITS REGISTERED OFFICE AT POLICE BAZAR, G.S.ROAD, SHILLONG, 793001 MEGHALAYA, REPRESENTED BY ITS PROPRIETOR- SRI ADARSH JHUNJHUNWALA

2: SRI ADARSH JHUNJHUNWALA
PROPRIETOR OF M/S VICTOR AND COMPAN

VERSUS

1: IDBI BANK LIMITED AND 3 ORS A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956 AND ALSO A BANKING COMPANY WITHIN THE MEANING OF THE BANKING REGULATION ACT, 1949 AND HAVING ITS REGISTERED OFFICE AT IDBI TOWER, WTC COMPLEX, CUFFE PARADE, MUMBAI- 400005, THROUGH ITS CHAIRMAN, OFFICE AT IDBI TOWER, WTC COMPLEX, CUFFE PARADE, MUMBAI- 400005

2:THE AUTHORIZED OFFICER IDBI BANK LIMITED GUWAHATI MAIN BRANCH RETAIL RECOVERY G.S.ROAD GUWAHATI- 781005

3:THE BRANCH MANAGER IDBI BANK LIMITED GUWAHATI MAIN BRANCH G.S.ROAD GUWAHATI- 781005

4:ADDL. DISTRICT MAGISTRATE
KAMRUP METROPOLITAN DISTRICT GUWAHATI- 78103

For the Petitioner(s) : Mr. J.C. Gogoi, Advocate.

For the Respondent(s) : Mr. G. Das, Advocate for respondent Nos.1, 2 & 3.

: Mr. N. Das, Junior Government Advocate, Assam for respondent No.4.

– **B E F O R E** –
HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE N. UNNI KRISHNAN NAIR

06.05.2024
(Vijay Bishnoi, CJ)

After attempting to argue the matter quite for some time, Mr. J.C. Gogoi, learned counsel for the petitioners, on instructions, has submitted that he wants to withdraw this writ petition, however, seeks liberty to the petitioners to avail appropriate remedy available to it under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act).

In view of the above, the writ petition stands dismissed on withdrawal with liberty, as prayed for.

JUDGE

CHIEF JUSTICE

Mukut

Comparing Assistant