

SUPREME COURT OF INDIA

UCO Bank

Vs.

Pradeep Kumar

C.A.Nos.1055-1057 of 2009

(B.N. Agrawal and G.S. Singhvi JJ.)

13.02.2009

ORDER

1. Leave granted.

2. After the case was heard at length, learned counsel appearing on behalf of the respondent made a prayer that his client may be permitted to withdraw Writ Petition No. 11929 of 2007 filed by him before the Punjab and Haryana High Court to enable him to move the Debt Recovery Tribunal by filing an application under Section 17 of the *Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002* [for short, 'the Securitisation Act'].

3. In our view, the request made by the learned counsel is reasonable and deserves to be accepted. Accordingly, the respondent is permitted to withdraw Writ Petition No. 11929 of 2007 pending before the Punjab and Haryana High Court with liberty to him to file appropriate application under Section 17 of the Securitisation Act before the Debt Recovery Tribunal. In case such an application is filed, the same shall be considered and disposed of on merits.

4. The interim orders passed by the High Court on 6th August, 2007, 23rd August, 2007 and 26th September, 2007 in Writ Petition No. 11929 of 2007 stand automatically vacated.

The civil appeals are, accordingly, disposed of.