

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.567 of 2018

Date of decision: 31.05.2018

M/s Sainsons Pulp and Papers Ltd. and another
... Petitioner

Versus

State Bank of India and others
... Respondents

Coram:

The Hon'ble Mr. Justice Sanjay Karol, Acting Chief Justice.

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?¹ No.

For the Petitioner : Mr. Rahul Mahajan, Advocate.

For the Respondents : Mr. B.C. Negi, Senior Advocate with
Mr. Arvind Sharma, Advocate.

Sanjay Karol, Acting Chief Justice (Oral)

Learned counsel for the petitioner, under instructions, contends that petitioner shall be content if a direction is issued to the respondents to decide the petitioner's request, which petitioner shall be making within a period of one week from today. Learned counsel for the respondents has no objection to the same.

2. No other point is urged.

Whether reporters of Local Papers may be allowed to see the judgment?

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3. Leaving the question of law open, it is always open for the petitioner to approach the respondent-authority, as prayed for.

4. We clarify that we are not adjudicating the issue of maintainability and have simply allowed the writ petitioner to withdraw this petition so as to enable the petitioner to approach the respondents seeking one-time settlement.

5. Learned counsel for the petitioner states that petitioner apprehends that there may be discrimination qua one-time settlement as compared to similarly situated persons/entities. Learned counsel for the respondent assures that representation of the petitioner shall be considered and decided, strictly in accordance with law, expeditiously and that too preferably within a period of one month, by affording adequate opportunity of hearing/representation to the petitioner and other affected/aggrieved party. Petitioner is at liberty to place additional material on record. Needless to add, the authority shall assign

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reasons while deciding the same, which shall be communicated to the petitioner.

6. With the aforesaid observations, we dispose of the writ petition as withdrawn, reserving liberty to the writ petitioner to independently pursue remedies, in accordance with law, if so required and desired. Since the petitioner has been pursuing remedy before this Court, limitation shall not come in its way, while taking recourse to such remedies, as are available to it.

Pending application(s), if any, also stand disposed of.

**(Sanjay Karol),
Acting Chief Justice.**

May 31, 2018 (K S)

**(Sandeep Sharma),
Judge.**