

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.571 OF 2009

Vijay Ankush Sable and another	...	Petitioners
Vs.		
Central Bank of India through Regional Manager		
Arvind N. Mothe and others	...	Respondents

Mr. Vijay Killedar for Petitioners.
None for Respondents.

CORAM : R. G. KETKAR, J.
DATE : 17TH JUNE, 2015

ORDER :

Not on Board. At the request of Mr. Killedar, taken up in the production Board.

2. Mr. Killedar, learned Counsel for petitioners submitted that during the pendency of this Petition, decree holder Bank has settled the matter with the borrower and to that effect filed Purshis at exhibit 169 in Special Darkhast No.7 of 1991 for withdrawal of the Darkhast. He further submitted that compromise was entered into between decree holder and judgment debtors 1, 2A and 2B. He submitted that the Petition, therefore, has become infructuous. He further states that entire dues of decree holder Bank has been paid, and therefore, nothing survives in this Petition. He, therefore, seeks leave to withdraw the Petition as the same has been rendered infructuous.

3. The purshis dated 10.06.2015 at exhibit 169 along with no objection letter dated 05.03.2015 addressed by the Bank, joint purshis dated 10.06.2015 at exhibit 174 filed by decree holder and judgment debtors and the order passed thereon are taken on record and marked 'X' collectively for identification.

4. In view thereof, on the motion made by Mr. Killedar, Petition is allowed to be withdrawn as infructuous. Rule is discharged. However, there shall be no order as to costs.

(R. G. KETKAR, J.)

Minal Parab