

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
WRIT PETITION NO.10305 OF 2015

IndusInd Bank Limited. .. Petitioner

Vs

The Regional Transport Officer and Another. .. Respondents

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Shri Vivek V. Salunke i/b Shri S.G. Legal and Associates for the
Petitioner.

Smt. M.P.Thakur, AGP for the Respondents.

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CORAM : A.S. OKA & G.S. PATEL, JJ

DATED : 20TH NOVEMBER 2015

P.C.

. Heard the learned counsel appearing for the Petitioner and
the learned AGP for the Respondents.

2. Considering the narrow controversy involved in this
Petition, the same is taken up forthwith for final disposal.

3. The vehicle subject matter of this Petition was
hypothecated with the Petitioner Bank. An Application has been made
by the Petitioner Bank on 7th August 2015 to the First Respondent
praying for deletion of the entry of hypothecation. To the said
Application, an order passed by the Chennai High Court on 2nd July
2015 has been annexed. By the said Application, it is pointed that that
the possession of the vehicle was taken over by the Petitioner and that

the same has been sold to a third party. Along with the said Application, a No Objection Certificate for Lien Endorsement Removal in the prescribed format has been forwarded by the Petitioner along with the Form 35 duly signed by all concerned.

4. The learned AGP appearing for the Respondents has no instructions as regards the present status of the Application dated 7th August 2015.

5. Hence, we dispose of the Petition by passing the following order:

ORDER :

- (a) We direct the authorized representative of the Petitioner to remain present before the First Respondent on 21st December 2015 at 11.00 a.m. The authorized representative of the Petitioner shall produce an authenticated copy of this order along with a true copy of the Application dated 7th August 2015 along with annexures thereto;
- (b) If the Application dated 7th August 2015 is not yet decided, the same shall be decided by the First Respondent on or before 31st December 2015;

- (c) While deciding the said Application dated 7th August 2015, the First Respondent shall take into consideration the documents annexed to the said Application;
- (d) The Petition is disposed of on above terms;
- (e) The First Respondent to act upon an authenticated copy of this order.

(G.S. PATEL, J)

(A.S. OKA, J)