

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8987 OF 2014

Javed Rafiyaoddin Shaikh : Petitioner
versus
Nashik Zilla Girna Sahakari Bank
Co-operative Bank Limited, Nashik & ors. : Respondents.

Mr. Pramod N Joshi for the Petitioner.
Mr. Tejesh Dande i/by Tejesh Dande and Associates for the Respondent No.1
Mr. Amitkumar D Sale for the Respondent No.6.
Ms. M S Bane "B" Panel Counsel for the Respondent Nos.7 and 8

CORAM : R. M. SAVANT, J.
DATE : 2nd July 2015

P.C.

1 The learned counsel appearing on behalf of the Petitioner Shri P N Joshi on instructions of the Petitioner who is personally present in Court today seeks withdrawal of the above Petition with liberty to file appropriate proceedings as provided in the Maharashtra Co-operative Societies Act, which would include a Revision Application filed under Section 154 of the said Act.

2 The above Petition is accordingly allowed to be withdrawn with liberty to adopt appropriate proceedings. The learned counsel appearing for the auction purchaser i.e. the Respondent No.6, on instructions of the brother of the Respondent No.6 Shri Krishna Ganpatrao Gawali, who is personally present in Court today, states that the property in question would not be dealt

with for a period of four weeks from date. Statements accepted. The Petitioner would be at liberty to file an interlocutory application in the proceedings that he proposes to file for interim reliefs. The Petitioner to adopt the said remedy within four weeks from date. The amount which has been deposited in this Court pursuant to the order dated 5/1/2015 would continue to lie in deposit in this Court, however, the Petitioner would be permitted to withdraw the amount in the event he has to make statutory compliance by way of pre-deposit, whilst filing the Revision Application. Needless to state that the proceedings that would be filed by the Petitioner or the interlocutory application filed therein would be considered on their own merits and in accordance with law, and the fact that a concession by way of the statement made on behalf of the Respondent No.6 would not influence the said adjudication as well as the fact that an order of status quo was granted in the above Petition.

[R.M.SAVANT, J]