

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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WRIT PETITION NO. 10834 OF 2015

M/s. Dattatraya Electroplating Works & Ors. ... Petitioners

vs.

Dena Bank and Anr. ... Respondents

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Mr. K. N. Kandekar for petitioners.

Mr. Rajesh Shethia and Mr. Chetan Shah for respondent No.1-Dena Bank.

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CORAM : M. S. SONAK, J.

DATE : 21st NOVEMBER, 2015.

P.C.:

1. The grievance in this petition is that the respondent No.2 be restrained from acting as an Estate Officer in this matter, since, the respondent No.2 was involved in the process of initiation of eviction proceedings against the petitioners.

2. Mr. Shethia, learned counsel for the respondent No.1 submits that rather than there be any adjudication on the allegation as to bias, this matter can be disposed of in view of notification dated 9th September, 2015, whereby Shri Kailashnath, Chief Manager, Dena Bank having been appointed as an Estate Officer in respect of premises belonging to or taken on lease by or on behalf of the bank. The notification is placed on record.

3. In view of aforesaid notification, this petition can be disposed of with the direction that the proceedings against the petitioners be taken up by Shri Kailashnath in terms of notification dated 9th September, 2015.

4. With the aforesaid directions, this petition is disposed of. All concerned to act upon the authenticated copy of this order.

(M. S. SONAK, J.)