

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 1064 OF 2016

SHRI. SANJAY PARSEKAR.,

... Petitioner

Versus

THE MAPUSA URBAN COOPERATIVE BANK
OF GOA LTD., THR. ITS GENERAL
MANAGER AND 3 ORS.,

... Respondents

Mr. Devidas J. Pangam, Advocate for the petitioner.

Coram:- F. M. REIS, J.

Date:- 24th November, 2016

P.C.

Heard Mr. D. Pangam, learned counsel appearing for the petitioner.

2. The challenge in the above petition is to the order of attachment of the movable property belonging to the respondent no.2/Judgment Debtor No.1 in the Execution Proceedings.

3. During the course of the hearing of the above petition, it is contended by the learned counsel appearing for the petitioner that on the garb of the said order, the movable assets belonging to the petitioner were sought to be attached when according to the petitioner is not liable to pay any amount to the Decree Holder. It was however not disputed by the learned counsel that the petitioner has an alternate remedy to move the Executing Court to vacate any order of such

attachment by a third party.

4. At this stage, Mr. Pangam, learned counsel appearing for the petitioner seeks leave to withdraw the above petition to avail of an alternate remedy but however prays for an ad-interim protection up to Tuesday i.e. 29.11.2016. In such circumstances, the petition stands dismissed as withdrawn. Liberty to the petitioner to avail of an alternate remedy if so advised in accordance with law. All contentions of the parties are left open. However, status quo of the subject assets up to Tuesday i.e. 29.11.2016.

5. Expedite an authenticated copy of this order to the petitioner.

F. M. REIS, J.

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