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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 3351 OF 2004
WITH
CIVIL APPLICATION No. 701 OF 2009
WITH
CIVIL APPLICATION No. 501 OF 2011

Industrial Development Bank of India ... Petitioner
Vs.
Export Import Bank of India & Ors. ... Respondents

None for the Petitioner.

Ms. Neha Kadape i/b T. Dayabhai, for Respondent No. 1.

CORAM : V. M. KANADE, &
M. S. SONAK, JJ.

DATE : AUGUST 1, 2016

PC.

1. None appears on behalf of the Petitioner. Ms. Neha Kadape appears for Respondent No. 1. It appears that by efflux of time, petition has become infructuous, and therefore, Petitioner is not keen in pursuing the matter. Even otherwise we find that the view taken by the DRT and DRAT that the plant machinery is embodied to the factory premises, and therefore, it is a part of the immovable

property. This view does not appear to be incorrect. Writ petition is therefore disposed of.

2. In view of disposal of the petition, Civil Application Nos. 701/2009 and 501/2011 filed therein do not survive and are accordingly disposed of.

Sd/-
[M. S. SONAK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath