

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

WRIT PETITION NO. 7132 OF 2015

Smt. Anita Jagannath Waghmare } and Anr. }	Petitioners
versus	
State of Maharashtra and Ors. }	Respondents

Mr. V. N. Ajikumar for the petitioners.

Mr. Samji Joseph i/b. Mr. B. G. Vaidya for
respondent nos. 2 to 5.

**CORAM :- S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATED :- OCTOBER 21, 2016

P.C. :-

1. The petitioners' advocate, in all fairness, states that the petitioners have an alternate and equally efficacious remedy available to seek the reliefs as prayed in the writ petition. The writ petition is, therefore, allowed to be withdrawn with liberty to proceed under section 17 of the SARFAESI Act. The ad-interim order passed by this court shall continue for a period of eight weeks from today but without prejudice to the rights and contentions of all parties. We clarify that this court has not examined the rival contentions. Further, the DRT is not obliged to continue this ad-interim order. It must deal with any request

made for grant of ad-interim/interim relief independent of this ad-interim relief and on its own merits and in accordance with law.

(B.P.COLABAWALLA, J.) (S.C.DHARMADHIKARI, J.)