

vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION No. 11417 OF 2013

M.R. Phadtare

....Petitioner

Vs.

The State of Maharashtra and Anr.

....Respondents

Mr. Amit Kumar D. Sale for Petitioner

Mr. P.P. Kakade, AGP for Respondent No.1

Ms. Pallavi Ghaisas i/b. V. Deshpande & Co. for Respondent No.2

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

DATE : JUNE 9, 2016

P.C. :

1. The learned counsel for the Petitioner submits that during the pendency of the writ petition, possession of the mortgage property has been taken on 30th May, 2016 and, therefore, this petition has become infructuous. The learned counsel for the Petitioner, therefore, seeks leave to withdraw the petition with liberty to challenge the action of Respondent No.2- Bank before the Debt Recovery Tribunal.

2. Writ petition is allowed to be withdrawn with liberty as prayed and it is disposed of accordingly. All the contentions raised by both the parties are kept open. Ad-interim order is stand vacated, if already not vacated, forthwith.

M.S. SONAK, J.

V.M. KANADE, J.