

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1364 OF 2015

Smt. Anagha Anil Sawant } Petitioner
 versus
The Sanmitra Sahakari Bank }
and Ors. } Respondents

Mr. Suresh M. Sabrad for the petitioner.

Mr. Sunil Maruti Kadam for respondent
no. 1.

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

DATED :- OCTOBER 21, 2016

P.C. :-

1. The petitioner's advocate, on instructions, states that the petitioner has already availed of an alternate remedy by approaching the DRT. He, therefore, seeks leave to withdraw the writ petition. Leave granted. The writ petition is disposed of as withdrawn with liberty to pursue the remedy already availed of.

2. Mr. Sabrad states that the ad-interim order be continued for a period of six weeks so as to enable the petitioner to apply for interim relief in the pending application. This request is opposed by the learned counsel appearing for the first respondent.

3. Having heard both sides on this point, we are of the view that interest of justice would be served if the order passed on 25th July, 2014 is continued for a period of six weeks from today, but without prejudice to the rights and contentions of the first respondent. We clarify that the DRT is not bound to continue this order nor is bound to grant any interim order. It must apply its independent mind to arrive at both, prima facie and final conclusion.

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