

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

922 WRIT PETITION NO. 13839 OF 2017

KIRAN RADHAKISHAN SHARMA
VERSUS
THE DISTRICT MAGISTRATE COLLECTOR OFFICE AURANGABAD AND
ANOTHER

...
Advocate for Petitioner : Mr. K.D. Khade
AGP for Respondents: Mr. S.P. Sonawale
Advocate for respondent No.2: Mr. S.S. Pail

...
CORAM : R. M. BORDE & VIBHA KANKANWADI, JJ.
Date: December 05, 2017

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PER COURT :-

1 The petitioner has tendered an undertaking in the form of an Affidavit agreeing to deposit the outstanding loan amount payable to respondent No.2 financial institution. The petitioner has agreed to deposit Rs.24,00,000/- within ten weeks from today and the balance amount of Rs.23,29,460/- together with accrued interest from 18.1.2017 within ten weeks from the date of deposit of first installment. The undertaking is taken on record and marked 'X' for identification. The respondent bank is agreeable to the conditions incorporated in the said undertaking.

2 In view of the undertaking presented by the petitioner, the respondent shall not take any coercive steps in furtherance of the order passed by the District Magistrate. In the event of failure of the petitioner to abide by the conditions in respect of deposit, recoded in paragraph No.1 of the affidavit, it would be open for the respondent financial institution to take coercive steps for recovery of the amount.

3 The petitioner undertakes not to create third party interest and to keep the residential premises in habitable conditions until discharge of the loan liability.

4 In view of the above, writ petition is disposed of.

(VIBHA KANKANWADI, J.)

(R. M. BORDE, J.)