

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1916 OF 2016

Santosh Narvekar

Petitioner

versus

Axis Bank and another

Respondents

Ms.Sandhya Sawant i/by M.Janardhnan for Petitioner.

Ms.M.S.Bane for Respondent nos.1, 4 and 5.

Mr.H.S.Venegaonkar with A.L.Bhise for Respondent Axis Bank Ltd.

CORAM : S.C.DHARMADHIKARI AND
PRAKASH D. NAIK, JJ.

DATE : 26th April 2017

PC :

1. After the writ petition was argued for some time and we expressed our disinclination to grant any relief, particularly when there is a contrary version placed on affidavit on behalf of Respondents, the learned advocate for Petitioner seeks leave to withdraw the writ petition with liberty to file an application/appeal under Section 17(1) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before competent Tribunal. The writ petition is allowed to be withdrawn and disposed of as such. We clarify that all contentions are kept open.

2. For a period of four weeks from today, the ad-interim order passed by this Court and modified subsequently, shall operate, but

without prejudice to the rights and contentions particularly of the bank. No equities will be created because this arrangement is continued for a limited period. This order is passed because the ad-interim arrangement earlier made, was vacated by this Court expressly. Mr.Venegavkar appearing for Axis Bank Limited states that the Axis Bank has not moved for three months and more, to take possession of immovable land/property in question.

(PRAKASH D. NAIK, J.)

(S.C.DHARMADHIKARI, J.)

MST