

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

WRIT PETITION NO. 5073 OF 2014

Rajesh Uttamrao Londhe & Anr. ..Vs.. The Laxmi Co-operative Bank Ltd. & Ors.

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mr. Tejas Dande I/by. V. S. Dharne for Petitioners.

Mr. Anand S. Kulkarni for Respondent Nos. 1 and 2.

Mr. S. H. Kankal, AGP for Respondent Nos.5 to 8.

CORAM : K. K. TATED, J.

DATE : JULY 18, 2017.

P.C. :

. Heard learned Counsel for parties.

2. The learned Advocate Mr. Dande for Petitioners submit that in the present proceeding the owner of the property challenged the auction sale conducted by the Respondent No.2. He submit that actually an alternate remedy is available to the Petitioners under Rule 107 (14) of the Maharashtra Co-operative Societies Rules, 1961 to make appropriate application before the Special Recovery Officer itself.

3. The learned Counsel for Petitioners submit that he received instructions from his client to withdraw the present writ petition with liberty to file appropriate application before the Authority under Rule 107 (14) of the Maharashtra Co-operative Societies Rules, 1961 for his grievance. To that effect, he has given in writing. Same is taken on record and marked "X" for identification. Same is accepted.

4. Writ Petition stand disposed of, as withdrawn with liberty as prayed.

5. All contentions of both the parties are kept open.

(K.K.TATED, J.)