

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9245 OF 2017**

Mr. Mohammed Hanif Syed & Anr.Petitioners.
Vs.
Kotak Mahindra Bank Ltd.Respondent.

Ms. Anita Castelino i/by Sayed Zia Amir Mohiddin for the Petitioners.
Mr. Vishal Kanade for the Respondent.

**CORAM : ANOOP V. MOHTA AND
SMT. BHARATI H. DANGRE, JJ.
DATE : 16 AUGUST 2017.**

ORDER:-

We are inclined to dispose of the present Writ Petition, as the learned counsel appearing for the sole Respondent-Bank, on instructions, makes statement that the Tahasildar is not taking possession under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*“the SARFAESI, Act”*) today and the Tahasildar will give a fresh notice before taking possession. The statement is also made that the Petitioner's Appeal, as well as, the Application for stay is pending before the Debts Recovery Appellate Tribunal.

2 By keeping all contentions open, the present Writ Petition is disposed of. No costs.

(BHARATI H. DANGRE, J.)

(ANOOP V. MOHTA, J.)