

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

WRIT PETITION NO.1559 OF 2016

Mrs. Hemlata Kirtikumar Salot	..Petitioner
Versus	
Abhyudaya Co-operative Bank Ltd. and others	..Respondents

Mr. Chetan Kapadia i/by Mr. Jamshed Ansari for the Petitioner.
Mr. V. C. Ghosalkar for the Respondent No.1.
Mr. M. A. Sayyed, AGP for the Respondent No.3.

**CORAM : R. M. SAVANT &
SMT. SADHANA S. JADHAV, JJ
DATE : 23rd JUNE, 2017**

PC.

1 The Learned Counsel appearing on behalf of the Respondent No.1 Bank Mr. V. C. Ghosalkar states that the shop in question of which possession was taken has already been auctioned pursuant to the order dated 28.05.2013 passed in OA No.66/2013 between IDBI Vs. Kirtikumar and others by the DRT-II, Mumbai. Pursuant to the said auction possession has already been handed over to the successful auction purchaser. He further states that the amount which has been realised i.e Rs.18,08,500/- out of the auction has been kept in a fixed deposit in the Respondent No.1 Bank as per the order passed by the DRT-II which amount is now Rs.20,46,151/-. The aforesaid statements have been made on behalf of Mr. V. C. Ghosalkar on the basis of the email which has been

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received from the Respondent Bank. The Manager, Rajendra Gurav of the Respondent No.1 Bank is also personally present in Court and confirms the instructions given by email to Mr. V. C. Ghosalkar.

2 Upon this, the Learned Counsel appearing for the Petitioner Mr. Chetan Kapadia seeks withdrawal of the above Petition to adopt such remedies as are available in law for the redressal of the Petitioner's grievances. The Writ Petition is accordingly allowed to be withdrawn and dismissed as such.

[SMT. SADHANA S. JADHAV, J]

[R.M.SAVANT, J]