

Dond

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

WRIT PETITION LODG. NO.1401 OF 2017

Rahul Ashok Kharat & Ors.

..Petitioners

Vs

Phoenix ARC Pvt. Ltd.

..Respondent

Ms. Roshni Naik for Petitioners.

Ms. Medha Rane i/b M.S. Vishnu for Respondent.

**CORAM: A.S. GADKARI &
C.V. BHADANG, JJ.**

**DATE: 18 MAY 2017.
(Vacation Court).**

P.C.:

1] The learned Counsel for the respondent on instructions submitted that though their Financial Institution had fixed the date of taking physical possession on 17th May 2017, the same could not take place due to non-availability of police protection. She on instructions submitted that the respondent before taking physical possession of the suit property, will intimate the said date to the petitioners at least a week in advance.

2] In view of the statement made by the learned Counsel for the respondent, the present petition does not survive and the same is accordingly disposed off.

(C.V. BHADANG, J.)

(A.S. GADKARI, J.)