

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

WRIT PETITION NO. 1067 OF 2018

M/s. Phils Engineering Corporation
through its Proprietors ... Petitioner
V/s.
Asset Reconstruction Co. (India) Ltd. & Anr. ... Respondents

Mr. Kishor K. Malpathak for the Petitioner.
Mr. Shwanand Marbe i/b Mr. Sushil Nimbkar for Respondent No.1.
Mrs. K.R. Kulkarni, A.G.P. for Respondent No.2.

**CORAM : A.A. SAYED AND
V.L. ACHLIYA, JJ.**

DATE : 9th FEBRUARY, 2018.

PC. :

1 Learned Counsel for the Petitioner seeks leave to withdraw the
Petition with liberty to approach the DRT to file appropriate proceedings in
view of the subsequent amendment to the Securitization and Reconstruction
of Financial Assets and Enforcement of Security Interest Act, 2002
(SARFAESI Act).

2 The Petition is allowed to be withdrawn with liberty to
approach the DRT. It is clarified that the order dated 25.02.2015 shall not
be an impediment in entertaining the fresh application of the Petitioner in
view of the subsequent amendment to the Section 17 of the SARFAESI Act

3 The Writ Petition to stand disposed of accordingly.

(V.L. ACHLIYA, J.)

(A.A. SAYED, J.)