

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

WRIT PETITION NO. 3964 OF 2018

Air Plaza Retail Holdings Pvt. Ltd.
through its Authorized Representative ... Petitioner
V/s.
The Chairman/Manager,
The Sahebrao Deshmukh Co.Op. Bank Ltd. & Ors. ... Respondents

Mr. Vishwanath S. Talkute for the Petitioner.
Mr. Raja S. Ghadge for Respondent Nos.1 and 2.
Ms. Shruti D. Vyas,B-Panel Counsel for Respondent No.3.

**CORAM : A.A. SAYED AND
RAVINDRA V. GHUGE, JJ.**

DATE : 2ND APRIL, 2018.

PC. :

1 The Petitioner challenges the notice dated 09.03.2018 whereby the property in question which is a secured asset was sought to be taken under the provisions of the Maharashtra Co-Operative Societies Act. We are informed that the outstanding dues of the borrower were to the tune of Rs.3,82,00,000/- in the year 2014. The Petitioner who claims to be a licensee would no right to retain possession of the secured asset.

2 The Petition was moved on 28.03.2018, when we refused to grant any ad-interim relief. Learned Counsel for the Respondent Bank has tendered the papers relating to taking over possession of the said asset on 31.03.2018.

3 In the circumstances, the Petition which challenges the notice dated 09.03.2018 seeking to take possession of the secured asset, even otherwise has now become infructuous. The Petition is dismissed. No costs.

(RAVINDRA V. GHUGE, J.)

(A.A. SAYED, J.)