

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION STAMP NO. 17671 OF 2018

WITH

WRIT PETITION NO. 5301 OF 2018

Ms.Aditi Yashwant Kolvankar .. Petitioner

Vs.

NKGSB Co-operative Bank Ltd. and anr. .. Respondents

WITH

WRIT PETITION NO. 7293 OF 2018

WITH

WRIT PETITION STAMP NO. 18869 OF 2018

WITH

WRIT PETITION STAMP NO. 18870 OF 2018

Sachin Arvind Kelkar and anr. .. Petitioners

Vs.

NKGSB Co-operative Bank Ltd. and anr. .. Respondents

Mr.Amit Potnis i/b Tamhane & Co., for the Petitioners in WP/7293/2018, in WPST/18869/2018 for Petitioner No.1 & in WP/18870/2018 – for Petitioner No.1 and for Respondent No.2 in WPST/17671/2018 & in WP/5301/2018.

Mr.Bhalchandra M. Ganu, for Petitioner in WPST/17671/2018 & in WP/5301/2018 & for Respondent No.2 in WPST/18869/2018, in WPST/18870/2018.

Mr.A.R.Gole i/b Ms.Medha Rane, for Respondent No.1 – Bank.

CORAM : A.A.SAYED &

M.S.KARNIK, JJ.

DATE : 14th AUGUST 2018

P.C. :

. Learned Counsel for the Petitioners has tendered the Undertaking of the Petitioner No.2 – Mrs.Madhu. The Undertaking of the Petitioner No.1- Sachin was submitted on the last date. We accept the Undertakings of both the Petitioners and dispose of the Petitions. As per the Undertakings, the additional amount is to be paid by the Petitioners to the Respondent Bank on or before 31/10/2018 and on failure to pay the same, the Petitioners have undertaken to hand over possession of flat No. B-1407, Meridian Apartment, off. Palm Beach Road, Sector 6, Nerul (West), Navi Mumbai – 400 706.

2. We record the statement of the learned Counsel for parties that the Respondent No.2 - Aditi Kolvankar in WPST/18869/2018 & in WPST/18870/2018 has been handed over physical possession of flat No. 105 in question.

3. Though we dispose of the Petitions, for reporting

compliance, list the Petitions on 02/11/2018 under the caption 'for directions' when the Court also proposes to issue directions as regards return of the title deeds of the flat in question.

(M.S.KARNIK, J.)

(A.A.SAYED, J.)