

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

WRIT PETITION (ST.) NO. 19551 OF 2018

Indico Construction Company Mr. Bhojraj
Karkera Proprietor (Decd.) Through C.A. ... Petitioner
V/s.
Bharat Co-operative Bank (Mumbai) Ltd. & Ors. ... Respondents

Mr. Yatin R. Shah i/b Mr. Harsha Yatin Shah for the Petitioner.
Mr. Rajesh Nagony for the Respondent/Bank.

**CORAM : A.A. SAYED AND
K.K. SONAWANE, JJ.
DATE : 11th JULY, 2018.**

P.C. :

1 Learned Counsel for the Respondent Bank states that though the auction is to be held on 13.07.2018 but the same shall not be confirmed for three weeks, in view of the procedure required to be followed by the Respondent Bank.

2 In view of the aforesaid statement, learned Counsel for the Petitioner seeks leave to withdraw the Petition to approach the DRT. Petition is allowed to be withdraw with liberty to approach DRT. If any payments are accepted from the proposed auction purchaser by the Respondent Bank, the same would be without prejudice to the rights of the Petitioner and this fact would be communicated to the proposed auction purchaser.

(K.K. SONAWANE, J.)

(A.A. SAYED, J.)