

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

WRIT PETITION (ST) NO.23433 OF 2018

Ramesh Vishwanath Khasnis and Anr. .. Petitioner

V/s.

The State of Maharashtra,
Through Secretary, Dept. of Revenue and Ors. .. Respondents

Mr.S.S.Kanetkar for the petitioner

Mr.A.A.Alaspurkar, A.G.P. for the respondent nos.1 to 4

Mr.Akash Acharya for the respondent no.5

**CORAM: K.K. TATED &
SANDEEP K. SHINDE, JJ.**

DATED : AUGUST 29, 2018

P.C. :

1 Heard the learned counsel for the parties.

2 By this petition under Article 227 of the Constitution of India, the Petitioner is challenging the possession notice dated 03.08.2018 issued by Respondent no.5 Circle Inspector, Nandani in respect of Plot no.21, Vibhute Housing Society, Opposite Vibhute High School, Jaisingpur, Taluka Shirol, District Kolhapur.

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3 When this court was not inclined to entertain the present Writ Petition, advocate for the Petitioner after taking instruction from his client who is present in court makes a statement that they may be permitted to withdraw the present Writ Petition with liberty to file appropriate proceeding before the DRT Mumbai. To that effect, he has given in writing. Same is taken on record and marked 'X' for identification. Same is accepted.

4 The learned counsel for the Petitioner submits that Respondent may be restrained for atleast 15 days to take any coercive action against them. For that, advocate for the Respondent financial institution has agreed. Hence, following order is passed:

- a) Writ Petition stands disposed of as withdrawn.
- b) Liberty granted to the Petitioner to file appropriate proceeding under Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002.
- c) Respondents are restrained from taking any coercive action against the Petitioner upto 17.09.2018.

(SANDEEP K. SHINDE, J.)

(K.K. TATED, J.)