

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION ST. NO. 23638 OF 2018**

Mr. Dharamraj Nivrtutti Jadhav	..Petitioner
Vs.	
The Sahyadri Sahakari Bank Ltd & Ors	..Respondents

Mr. S. S. Kanetkar for the Petitioner
Mr. Pankaj Uharadhi I/b Mr. Sunil Humbre for the Respondent No.1
Mr. N. C. Walimbe AGP for the Respondent State

**CORAM :R. M. SAVANT, &
REVATI MOHITE DERE,JJ
DATE : 16th AUGUST, 2018**

P.C.

- 1 Not on board. Mentioned for urgent reliefs.
- 2 The above Writ Petition has been filed for the relief that a direction be issued to the Learned Presiding Officer, DRT to hear and decide the main application i.e. MA No.24 of 2018, for condonation of delay. The second relief that is sought to direct the Circle Officer not to take any action pursuant to the notice dated 2-8-2018 till the MA No.24 of 2018 filed by the Petitioner before the DRT for condonation of delay is heard and decided.
- 3 We are informed by the Learned Counsel for the Petitioner that though the application has been heard finally on 14-8-2018, copy of the order is as yet not made available to the Petitioner. The Petitioner is also not aware as to whether only the application for condonation of delay has been dealt

with or also the application for interim reliefs. The said hearing has taken place before the DRT in terms of the directions as contained in the order dated 20-7-2018 passed by the Division Bench of this Court A.A. Sayed and M. S. Karnik JJ., in Writ Petition St No.20661 of 2018 filed by the Petitioner. By the said order an interim protection was granted to the Petitioner for two weeks so that the application for condonation of delay could be filed and that the said application could be decided by the DRT. Since the order of the DRT is as yet not made available, it would be just and proper to defer the taking over of possession up to 27-8-2018 so that the order becomes available to the Petitioner and the Petitioner can thereafter seek appropriate recourse against the order that is passed by the DRT. It is therefore not necessary to keep the above Writ Petition pending, the same to accordingly stand disposed of in terms of the directions as above.

4 All parties to act upon an ordinary copy of this order duly authenticated by the Court Associate / Shirestedar.

[REVATI MOHITE DERE, J]

[R.M.SAVANT, J]

Meera
Mahesh
Jadhav
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Meera Mahesh
Jadhav
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