

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****WRIT PETITION NO. 11860 OF 2013****Abhyudaya Co-operative Bank Ltd.****..... Petitioner****VERSUS****Shivajirao Bhosale Sahakari Bank Ltd. & Anr. Respondents**

Mr.Vishal Ghosalkar a/w. Ms.Kshama Bhandari for the Petitioner.

Mr.Rajesh More for the Respondent no.1.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent no.3.

CORAM : R.D. DHANUKA, J.**DATE : 23rd JULY, 2018****P.C.**

Learned counsel appearing for the respondent no.1 states that the property which was allowed to be sold by the order dated 8th April,2013 passed by the learned Divisional Joint Registrar, Co-operative Societies has not been sold in view of the fact that the borrower of the respondent no.1 has already settled the dispute with the respondent no.1 and has paid the agreed amount. The respondent no.1 thus does not claim any right in respect of the said property. Statement is accepted.

2. In view of the statement made by the learned counsel for the respondent no.1, learned counsel for the petitioner does not press this petition and states that his client will execute the recovery certificate in respect of the property in question. Statement is accepted. Writ petition is dismissed as withdrawn in view of the statement made by the learned counsel for the respondent no.1. No order as to costs.

[R.D. DHANUKA, J.]