

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 16 OF 2018

Allahabad Bank .. Petitioner
Vs.
State of Maharashtra & Ors. .. Respondents

Mr. Bhavik Manek i/b Mr. V. N. Ajikumar for the Petitioner.
Mr. Manish Upadhyay, AGP for the Respondent No.1.
Mr. Jay Choksi i/b Law Frame for the Respondent No.2.

CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.
DATE : 8th JANUARY, 2018.

P. C. :

1. Learned counsel for the petitioner on instructions seeks leave to withdraw the Appeal being Misc. Appeal No. 99 of 2017 pending before the DRAT. The Appeal to stand disposed of as withdrawn. Needless to state that in view of the withdrawal of the Appeal, the impugned order dated 14.12.2017 would not survive. A copy of this order shall be produced before DRAT on the next date when the Appeal is listed.
2. S.A. No. 70 of 2017 is pending before the DRAT wherein by an order dated 03.05.2017, status quo was granted which is continuing till date. It is pointed out by the learned counsel for the petitioner that respondent Nos. 2 to 4 had earlier filed S. A. (L) No. 1047 of 2016 which is already disposed of and therefore the second S. A. being S. A. No. 70 of 2017 is not maintainable.
3. We direct the DRT, Pune to decide the S. A. No. 70 of 2017 on or

before 28.02.2018. The parties to appear before the DRT, Pune along with copy of this order on 15.01.2018.

4. The statement of learned counsel for the petitioner is recorded that the reply to the S. A. No. 70 of 2017 will be filed within two weeks from today.

5. The petition is disposed of accordingly. No costs.

[V. L. ACHLIYA, J.]

[A. A. SAYED, J.]