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

WRIT PETITION (L) NO. 436 OF 2018

M/s. Shivneri Pashu Pakshi Khadya Udyog .. Petitioner
Vs.
Union Bank of India .. Respondent

Ms. Divya Srivastava for the Petitioner.
Ms. N. I. Bakali for the Respondent.

CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.
DATE : 7th FEBRUARY, 2018.

P. C. :

1. The learned Counsel for the Petitioner seeks leave to withdraw the Petition to take recourse of the alternate remedy available before Debt Recovery Tribunal.
2. The Petition is allowed to be withdrawn and to stand disposed of as such.
3. The statement of the learned Counsel for the Respondent-Bank is recorded that the possession of the secured assets shall not be taken tomorrow as scheduled, but will be taken on 20.02.2018 at 11.00 a.m., unless any orders are passed in favour of the Petitioner by the DRT in the proposed proceedings. The statement is accepted. It is made clear that no fresh notice will be necessary by the Respondent-Bank for taking possession of the secured assets. We also make is clear that notwithstanding this order in the event proceedings are filed before the

Debt Recovery Tribunal by the Petitioner, the Debt Recovery Tribunal will be free to pass appropriate orders.

[V. L. ACHLIYA, J.]

[A. A. SAYED, J.]