

Amk

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

**WRIT PETITION NO. 2680 OF 2017**

Chamaria Polytex Pvt. Ltd. & Anr. .. Petitioners  
Vs.  
The Malad Sahakari Bank Ltd. & Ors. .. Respondents

Mr. Jaiprakash Chamaria, Petitioner No.2 present in person.

**CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.**  
**DATE : 10<sup>th</sup> JANUARY, 2018.**

**P. C. :**

1. The Petitioner has challengd measures taken by the Respondent-Bank under the SARFAESI Act. Possession of the flat has been taken by the Respondent-Bank after an order passed by the CMM. The Petitioners have filed Securitisation Application and interim relief is refused inter alia on the ground that the Tribunal passed an interim order dated 26.03.2012 directing Respondent-Bank not to take physical possession of the property subject to deposit of Rs.24,00,000/- and that order was not complied with. The Petitioner had earlier approached this Court as well as Supreme Court and the order of 50% deposit passed by the Supreme Court has not been complied with.
2. On the request of the Petitioner who is appearing in person, the Petition is allowed to be withdrawn and to stand disposed of as such.

**[V. L. ACHLIYA, J.]**

**[A. A. SAYED, J.]**