

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

WRIT PETITION (L) NO.3681/2018

Rafik Paigambar Mujawar

... Petitioner

V/s.

State of Maharashtra & Ors.

... Respondents

Mr. Sunil M. Kadam for the Petitioner

Mr. S. B. Gore, AGP for the Respondent No.1.

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.**

DATED : NOVEMBER 1, 2018

P.C. :

1 Heard. By this petition under Article 226 of the Constitution of India the Petitioner challenges the notice dated 15.10.2018 issued by the Tahasildar, Mangalvedha, Dist. Solapur for taking possession of the Petitioner's property as per order dated 30.07.2018 passed by the District Collector on Application filed by Respondent bank u/s.14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002.

2 The learned AGP has filed compilation of documents dated 01.11.2018 placing on record the following documents: 1 to 5

1	30.07.2018	Order dated 30.7.2018 passed by Respondent No.3 Additional Collecotr, Dist. Solapur.
2	15.10.2018	Notice dated 15.10.2018 issued by Respondent

		No.2 to the Petitioner, Circle Officer and Inspector of Police for taking possession of the mortgaged property on 26.10.2018 at 11.00 am.
3	24.10.2018	Letter dated 24.10.2018 issued by Respondent No.4 Bank to Respondent No.2.
4	25.10.2018	Letter dated 25.10.2018 issued by Respondent No.2 to Circle Officer, Marwade
5	31.10.2018	Written Instructions by Respondent No.2 Tahasildar, Mangalvedha, Dist. Solapur.

Same are taken on record and marked "X" for identification.

3 The learned AGP submits that the Tahasildar received letter dated 24.10.2013 from the Respondent Rajamata Urban Coop. Bank Ltd., stating that not to execute the order dated 30.07.2018 passed by the District Collector for taking possession of the Petitioner's property. He submits that even the Tahasildar, Mangalvedha, by letter dated 31.10.2018 intimated the Circle Officer, Mangalvedha to that effect.

4 In view of these facts, we do not find any reason to entertain the present Writ Petition. Same stands disposed of in view of the letter written by the Tahasildar and the Respondent Bank as stated hereinabove. No order as to costs.

(N. J. JAMADAR, J.)

(K. K. TATED, J.)