

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.3501 OF 2019

Shri. Irfan Salim Bagwan,
Prop. Irfan Salim Bagwan Oil
Cake Merchant, Age: 33 years,
Occ: Business, At & Post Old
Mondha, Paithan, Taluka Paithan,
District Aurangabad

..PETITIONER

VERSUS

1. Authorised Officer & Regional
Manager, Maharashtra Gramin
Bank, Regional Office,
Rashminagar, Near Auditor
Society, Harsul T-Point,
Aurangabad

2. The Branch Manager,
Maharashtra Gramin Bank,
Paithan Branch, Paithan,
District Aurangabad

3. The Police Inspector,
Police Station, Paithan,
Tq. Paithan,
District Aurangabad

..RESPONDENTS

Mr Prakash B. Paithankar, Advocate for petitioner;
Mr R.D. Sakhare, Advocate for respondent Nos.1 & 2;
Mrs Vaishali N. Patil-Jadhav, A.G.P. for respondent
No.3

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 13th MARCH, 2019

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ORAL ORDER :

Heard learned Counsel appearing for the petitioners.

2. The matter was circulated before this Court yesterday. Learned Counsel respondent Nos. 1 and 2, on instructions, prays a day accommodation to make a statement before this Court by way of an affidavit in reply and accordingly, today, learned Counsel invited our attention to the statement made in the affidavit in reply. The statement in the affidavit in reply is, respondent Nos. 1 and 2 are withdrawing letter issued to the Police Inspector, Paithan dated 1st March, 2019 thereby seeking assistance for taking possession with the police aid on 15th March, 2019. Other statement reads thus :

"2. I say that, I will not taking physical possession on 15.03.2019.

3. I say that, I will not taking physical

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possession for Without obtaining u/s 14 order for District magistrate.

4. I say that, I will filed application before District Magistrate u/s 14 of securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act,2002 for assistance for taking physical possession order for the property of Petitioner."

3. In view of categorical statement, the grievance of the petitioner is no more survives. The petition is accordingly disposed of.

(NITIN W. SAMBRE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

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