

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

44 WRIT PETITION NO.10038 OF 2019

RAJENDRA BHAGWANDAS SHIMPI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Talhar Ajay G.
AGP for Respondents No. 1 to 3. : Mr. K.N. Lokhande.
Advocate for Respondent No. 4 : Mr. S.V. Natu.

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45 WRIT PETITION NO.10039 OF 2019

SUNIL RAMDAS KANADE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Talhar Ajay G.
AGP for Respondents No. 1 to 3. : Mr. K.N. Lokhande.
Advocate for Respondent No. 4 : Mr. S.V. Natu.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 13/08/2019

PER COURT :

1. Mr. Talhar, learned counsel submits that, the petitioners in both these writ petitions are ready to deposit the entire amount due of the housing loan. The respondent No. 4 should release the secured assets of the petitioners and the respondent be restrained from taking possession.

2. Mr. Natu, learned counsel for respondent No. 4 submits that

since January the respondent No. 4 is giving time to the petitioners, however, the petitioners are not depositing the amount. The respondent No. 4 has taken symbolic possession on 08.03.2019.

3. The petitioners have undertaken to deposit the entire loan amount within one month. We accept the undertaking given by the petitioners.

4. In view of the undertaking, the respondent No. 4 shall not take physical possession of the secured assets of the petitioners in respect of the housing loan for a period of one month. If the petitioners pay the entire loan amount within a period of one month, the respondent No. 4 naturally would release the secured assets of the petitioners.

5. Writ petitions are disposed of. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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