

Sharayu Khot.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO. 128 OF 2019

IN

WRIT PETITION NO. 372 OF 2019

Shri. Rahul Jayantrao Kaulavkar

**...Applicant/
Petitioner**

Versus

State of Maharashtra & Ors.

...Respondents

Mr. Sandeep S. Koregave, for the Applicant/Petitioner.

Mr. A.A. Alaspurkar, AGP, for the Respondent No. 1, 4 and 5-State.

Mr. A.R. Gole, a/w Ms. Dimple Tejani, i/b Medha Rane, for the Respondent-Bank.

**CORAM : A.A. SAYED &
R.I. CHAGLA, JJ.**

DATE : 1 April 2019

ORDER :

1. Learned Counsel for the Petitioner fairly states that the Petitioner could not make arrangements to pay the

outstanding dues of the Respondent No. 3. He seeks leave to withdraw the Civil Application. The Civil Application is allowed to be withdrawn and to stand disposed of.

2. In view of the Undertaking dated 22nd December 2018 filed by the Petitioner in the Writ Petition that if he is unable to pay the outstanding dues, he shall handover possession of CTS No. 489B and 489K to the Respondents No. 2 and 3 without any protest, it is expected that the Petitioner shall comply. In the event, the Undertaking is not complied within one week from today, the Respondents No. 2 and 3 would be free to take appropriate steps including contempt action for breach of Undertaking.

[R.I. CHAGLA, J.]

[A.A. SAYED, J.]