

3 Petitioner undertakes not to create any third party interest in respect of the properties which are mortgaged with Respondent No.2-Bank, till the amount of Rs.1,28,00,810/- is paid to Respondent No.2-Bank.

4 Learned Counsel representing Respondent No.2-Bank, on instructions, submits that no coercive steps shall be taken to take over the possession of the mortgage assets if the Petitioner make the payment in terms of undertaking. In default of payment made, Respondent No.2-Bank will be at liberty to take such necessary measure to recover the amount which remains due and payable.

5 The undertaking given by the Petitioner and statement made by learned Counsel representing Respondent-Bank are accepted. The Petition is disposed of in terms of undertaking and the statements made.

(V.L. ACHLIYA, J.)