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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6668 OF 2018

Prakash Shivram Kamble

.. Petitioner

Vs.

The District Collector Thane & Ors.

.. Respondents

None for the Petitioner.

Mr. K.S. Thorat, AGP for Respondent Nos.1 and 2.

Mr. Manoj Kumar for Respondent No.3.

CORAM: PRADEEP NANDRAJOG, CJ. &
SMT. BHARATI DANGRE, J.

NOVEMBER 20, 2019.

P.C.

1. The Petitioner claims to have purchased the secured asset offered by way of security to Respondent No.3 and the grievance relates to the Bank taking resort to Section 14 of the SARFAESI Act, 2002.

2. It is pleaded in the Petition that the Petitioner approached the DRT, Mumbai by filing S. A. No. 51 of 2017. The Petitioner was compelled to file the Petition on account of a fire at

the building where from DRT function resulting in the non-functioning of DRT.

3. On 07.06.2018 noting aforesaid facts it was directed that possession of the secured asset be not taken.

4. Since none appears for the Petitioner at the hearing today, we have asked learned Counsel for the Respondent No.3 to inform the status of S.A. No. 51 of 2017 filed by the Petitioner before learned DRT and the learned Counsel informed that on account of non prosecution, the said Application has been dismissed.

5. Thus, instant Writ Petition is dismissed as infructuous.

**Pravin D.
Pandit**

Digitally signed by
Pravin D. Pandit
Date: 2019.11.21
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SMT. BHARATI DANGRE, J.

CHIEF JUSTICE