

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1275 OF 2019
 IN
 WRIT PETITION NO.6116 OF 2019

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Anoushakia Medicare & Diagnostic Pvt. Ltd. & Ors.	...Applicants
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In the matter between:

The Cosmos Cooperative Bank Limited	...Petitioner
Versus	
State of Maharashtra & Ors.	...Respondents

AND
 CIVIL APPLICATION NO.1670 OF 2019
 IN
 WRIT PETITION NO.6116 OF 2019

...

The Cosmos Cooperative Bank Ltd.	...Applicant
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In the matter between:

The Cosmos Cooperative Bank Limited	...Petitioner
Versus	
State of Maharashtra & Ors.	...Respondents

ALONGWITH

CONTEMPT PETITION (ST) NO.15561 OF 2019
 IN
 WRIT PETITION NO.6116 OF 2019

...

The Cosmos Cooperative Bank Limited	...Petitioner
Versus	
State of Maharashtra & Ors.	...Respondents

...
 Mr.Rushabh Shah i/by Raval Shah, for the Petitioner in CP & for Applicant in CAW/1670/2019.
 Ms.P.N.Diwan, AGP, for the Respondent No. 1-State.
 Mr. Mandar Soman, for the Respondents No. 3 & 4 in WP and for Applicants in CAW/1275/2019.
 Ms. Anita Cartillo, i/by Mr. Yadav P.R., for the Respondents Nos.5 & 6.

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CORAM : A.A. SAYED &
PRAKASH D. NAIK, JJ.
DATED : 29 JULY 2019

P.C.:

The Civil Applications have been taken out in the Petition which is already disposed of on 3 May 2019.

2. From time to time orders have been passed in the Civil Applications and ultimately on 18 July 2019 we have recorded a statement of the learned Counsel on behalf of Respondents Nos.3 to 5 that physical possession of the secured asset i.e. the Hospital in question shall be handed over to the Petitioner-Bank on 26 July 2019 at 12 noon.

3. Learned Counsel for the Petitioner-Bank confirms that the physical possession of the Hospital in question has been received.

4. In the circumstances nothing survives for consideration in the Civil Applications. The Civil Applications to stand disposed of.

5. A copy of the inventory has been handed over by the learned Counsel for the Petitioner-Bank to the learned Counsel for Respondents No.3 to 5. In the event the Respondent Nos.3 to 5 have any grievance in respect of the inventory, it will be open for them to take out appropriate proceedings.

6. We are informed that the Respondent-M/s.Anoushka Medicare & Diagnostic Pvt.Ltd. is required to follow certain procedures and make compliances inter alia in respect of cancellation of licenses and for closure of the Hospital. It is expected of the Petitioner-Bank to co-operate in that regard.

CONTEMPT PETITION (ST) NO.15561 OF 2019

Learned Counsel for the Respondent Nos.3 to 5, on instructions from Respondent No.4-Dr.Tushar Desai, states that Respondent No.4 has not filed any complaint against the Petitioner-Bank officials. We accept the statement.

2. In view of aforesaid statement, the learned Counsel for the Petitioner-Bank does not press the Contempt Petition. The Contempt Petition to stand disposed of.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)