

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.18960 OF 2019

...
Punjab National Bank & Anr.Petitioners
V/S
Mr. Ashok Kumar Mohatta & Ors.Respondents

WITH
CIVIL APPLICATION NO.1762 OF 2019
IN
WRIT PETITION (STAMP) NO.18960 OF 2019

...
Mohammad Yusuf Chaudhary ...Applicant
IN THE MATTER BETWEEN
Punjab National Bank & Anr.Petitioners
V/S
Mr. Ashok Kumar Mohatta & Ors.Respondents

...
Mr. Sandeep Kumar Singh for the Petitioners.
Mr. Rahul Matkar i/b Mr. Anand Shangoda for the Applicant/Intervener in
Civil Application No.1762 of 2019.
Mr. V.V. Chandawale for Respondent no.1.
Mr. Y.D. Patil, AGP for Respondent/State.
Mr. Kiran Bhagwant, Circle Officer, Belapur present in Court.

...
**CORAM : A.A. SAYED &
PRAKASH D. NAIK, JJ.**
DATE : 31 JULY 2019.

ORDER:

1 Inasmuch as the Petitioner Bank was not a party to the suit being
Regular Civil Suit No.89 of 2018 there is no impediment in the Circle Officer,
taking possession of the secured assets to execute the order of the District
Magistrate under section 14 of the SARFAESI Act.

2 We record the statement of the learned AGP that notice is already issued for taking possession of the secured asset on 14 August 2019. We accept the statement.

3 The Petition to stand disposed of.

4 In view of disposal of Petition, nothing survives in the Civil Application to join the Applicant as Respondent in the proceeding and the same is disposed of.

(PRAKASH D. NAIK, J.)

(A.A. SAYED, J.)

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