

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

WRIT PETITION NO.11360 OF 2019

Shree Warna Sahakari Bank Ltd. ... Petitioner

V/s.

M/s Aarti Enterprises and ors. ... Respondents

Ms.A.Goyal i/by Mr.Vishwajeet S. Kapse for the Petitioner.
Mr.S.L.Babar, AGP for Respondent Nos.4 and 5-State.
Dr.Abhinav Chandrachud with Mr.Dipen Furia i/by M/s
Shah & Shah Associates for Respondent No.1.

CORAM : UJJAL BHUYAN, J.
DATE : NOVEMBER 11, 2019.

P.C.:-

1. Heard Ms.A.Goyal, learned counsel for the petitioner;
Dr.Abhinav Chandrachud, learned counsel for respondent
No.1; and Mr.S.L.Babar, learned AGP for respondent
Nos.4 and 5.

2. By filing this petition under Articles 226 and 227 of
the Constitution of India, petitioner has assailed legality
and correctness of order dated 14th October, 2019 passed
by respondent No.4.

3. English translation of order dated 14th October, 2019 filed by the petitioner is extracted hereunder :-

“Adv. Kranti Gaikwad for Applicant, Jaydeep Patil, Indrajeet Patil Arvind Kulkarni from bank present, Mr.Sanchi Pandit prop. of Aarti Enterprises present, Adv. Vijay Upadyahay for respondent present, he filed V.P. Sachin Pandit requested inspection of property on or before 8th Nov.19 at 11.00 a.m. to 4.00 p.m.
Next Date 13.11.2019 at 11.30 a.m.”

4. On going through the same, it is seen that respondent No.4 had allowed inspection of the property in question on 8th November, 2019 between 11.00 a.m. to 4.00 fixing 13th November, 2019, as the next date.

5. Learned counsel for respondent No.1 submits that the inspection was not carried out on 8th November, 2019, perhaps on account of pendency of the writ petition.

6. On going through the order dated 14th October, 2019, no error or infirmity is discernible. Learned counsel for the petitioner is unable to show or disclose

any legal injury to the petitioner caused by the said order. No case for interference under Articles 226 and 227 of the Constitution of India is made out as no prejudice is caused to the petitioner. In such circumstances, court is not inclined to interfere in the matter.

7. Writ petition is dismissed.

(UJJAL BHUYAN, J.)

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