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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 227 OF 2017
IN
WRIT PETITION NO. 37 OF 2017**

M/s Shehnai Banquets & Ors. ... Applicants
V/s.
Special Recovery & Sales Officer,
attached to Maratha Sahkari Bank Limited & Ors. ... Respondents

.....
Mr. Anand Sitap i/by Mr. Jamshed Ansari for the Applicant/
Petitioner.
Mr. K.S. Dewal a/w Mr. Jayesh M. Joshi for the Respondent Nos. 1
and 2.

.....
CORAM : R.D. DHANUKA, J.

DATE : 12th JULY, 2019.

P.C.:

Learned Counsel appearing for the applicant states that he has no instruction in the matter and seeks time to apply for discharge in the matter.

2. Learned Counsel for the respondent nos.1 and 2, on the other hand invited my attention to orders dated 30th January 2017 and 27th February 2017 passed by this Court and submit

that the writ petition has become infructuous. He however has no objection if the Notice of Motion filed by the applicant (original petitioner) for restoration of the writ petition is allowed and the petition is disposed of as infructuous.

3. For the reasons recorded in the affidavit in support of notice of motion, notice of motion is made absolute in terms prayer clause A. Order dated 6th March 2017 is recalled. Writ Petition No. 37 of 2000 is restored to file. Notice of Motion is disposed of on aforesaid terms. No order as to costs.

(R.D. DHANUKA, J.)