

jsn

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L.) NO.1213 OF 2019**

K.K. Welding & Ors.	... Petitioners
V/s.	
Deutsche Bank	... Respondent

Sonali Jain with Ms. Chinmayee Ghag i/b Zastriya Attorneys & Legal Consult for the Petitioners.
Mr. Ismail Nasikwala, with Ms. Anju Mishra, Mr. Ravi Goenka and Mr. Narendra Devansh i/b Goenka Law Associates for the Respondent.

CORAM:	A.A.SAYED & R. I. CHAGLA, JJ.
DATE:	15TH APRIL, 2019.

PC:-

1. Learned Counsel for the Petitioners has tendered an Undertaking of the Petitioners wherein it is stated that the Petitioners shall handover physical possession of the secured asset viz. Rajgiri Apt, A Wing, Flat No.701, 7th Floor, 13th Khetwadi Back Road, Grant Road, East, Mumbai 400 004 on 11th May, 2019. We accept the said Undertaking. The Petitioners shall handover possession of the secured asset on 11th May, 2019 at 12.00 noon when the representative of the Respondent – Bank shall remain present at the said flat.
2. The Petitioners shall cooperate with the Valuer of the Respondent – Bank in taking inspection of the said flat for the

purposes of valuation of the said flat. The Respondent Bank shall be free to issue public notice for sale of the said flat by auction. However, inspection of the said flat to the proposed bidders shall be fixed some time after 11th May, 2019.

3. The Petition is disposed of in the aforesaid terms. It will be open for the Petitioners to settle the matter with the Respondent Bank on mutually acceptable terms.

(R I. CHAGLA, J.)

(A.A.SAYED, J.)