

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

WRIT PETITION (LODG.) NO. 1567 OF 2019

Hareshwar Packaging Ltd. & Anr. .. Petitioners
Vs.
Central Bank of India & Ors. .. Respondents

Mr.Ismail Nasikwala I/b Chandrika Prajapati for petitioners.

Mr.Jagdish B. Mehta-Petitioner No.2 present.

Ms. Maneesha Patel for respondent No.1.

Mr.Parth K. Mayekar I/b M.P. Rege & Co. for respondent No.2.

**CORAM : R.I. CHAGLA &
N.J. JAMADAR, JJ.
(VACATION COURT)**

DATE : 10TH MAY 2019

P.C.

1 Heard the learned counsel for the petitioners and the learned counsel for the respondent No.1-Bank.

2 The learned counsel for the petitioners points out that the order dated 26th April 2019 passed by this Court, by which the statement of the learned counsel for the respondent-Bank that prior notice of 10 days shall be given to the petitioners before taking over possession of the secured asset was recorded. In view of this statement, the petitioners sought leave to withdraw the petition. The petition was allowed to be withdrawn.

3 The learned counsel for the petitioners states that the notice had been received on 6th May 2019 at 4:00 p.m. but the learned Member of the Tribunal has gone on leave from 9th May 2019, and therefore seeks an extension of the notice period to be given by the respondent-Bank by further two weeks from the expiry of the 10 days from receipt of the notice on 6th May 2019.

4 We consider it appropriate to extend the notice period by a further period of two weeks from the expiry of the 10 days from receipt of the notice by the petitioners on 6th May 2019. This is particularly since the Tribunal Member has gone on leave and is not available and will resume only after the expiry of the 10 days notice period, as given by the order dated 26th April 2019 passed by this Court. Accordingly, the notice period is extended by a further period of two weeks from the expiry of 10 days from receipt of notice on 6th May 2019.

[N.J. JAMADAR, J.]

[R.I. CHAGLA, J.]