

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

916 WRIT PETITION NO.8893 OF 2020

SANGITA JAMES GAIKWAD AND ANOTHER
VERSUS
THE COLLECTOR AND ANOTHER

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Advocate for Petitioners : Mr. Deshpande Gaurav L
AGP for Respondents : Mr. P S Patil

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CORAM : V.K. JADHAV & MANGESH S. PATIL, JJ.
(VACATION COURT)

Dated : December 24, 2020

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PER COURT :-

1. The petitioners have approached to this Court for the sole reason that due to outbreak of Covid-19, the Debts Recovery Tribunal is not functioning. Learned AGP, on instructions, submits that Virtual Hearing is going on before the Debts Recovery Tribunal and petitioners can very well approach to the Tribunal.

2. The learned counsel appearing for the petitioners has pointed out that the possession of the petitioners, rightly or wrongly, was protected by the Civil Court for a considerable period, and, in view of the order passed by the District Magistrate, the petitioners are likely to be dispossessed.

3. Learned counsel for the petitioners, on instructions,

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submits that the petitioners are ready to withdraw this writ petition with liberty to approach the Debts Recovery Tribunal, however, possession of the petitioners may kindly be protected for a period of two weeks from the date of this order.

4. It appears that alternate efficacious remedy is available to the petitioners and since Virtual Hearing is now going on before the Debts Recovery Tribunal, the petitioners can very well avail the said remedy. In view of the same and considering the fact that the petitioners are likely to be dispossessed because of the order impugned in this writ petition, we proceed to pass the following order.

O R D E R

- I. Leave granted. Writ Petition is disposed off as withdrawn.
- II. The effect, execution and implementation of the impugned order is hereby stayed for a period of two weeks (2) from the date of this order, without further extension in any manner.
- III. Writ Petition is accordingly disposed off.

(MANGESH S. PATIL, J.)

(V.K. JADHAV, J.)

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