

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

WRIT PETITION (LODGING) NO.10 OF 2020

R.K. Bhuta ... Petitioner

Vs

The Cosmos Co-op. Bank Ltd. & Others ... Respondents

Mr.Amogh Singh i/b Jeet Gandhi for the Petitioner

Mr.Rishabh Shah with Anuja Bhansali i/b Raval Shah & Co. for
Respondent No.1

**CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.**

DATED: JANUARY 6, 2020

P.C.:

1. The petition challenges the auction notice dated 17.12.2019 that is at the instance of respondent No.1 – Cosmos Bank.
2. After the petition was argued for some time, Mr.Singh, the learned advocate appearing for the petitioner, says that the petitioner was informed that the auction, scheduled on 3.1.2020, could not take place for want of bidders. In view thereof and since this petition was filed in great urgency and the Presiding Officer of the National Company Law Tribunal is now available and

functional, on instructions, the petitioner seeks leave to withdraw the petition with liberty to approach the said Tribunal.

3. In view of the instructions received by Mr.Singh, the Writ Petition is allowed to be withdrawn with liberty as prayed.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)