

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.2055/2017

(Kotak Mahindra Bank, Nagpur V State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.Y. Wadodkar, Adv for petitioner.

Shri Amit Madiwale, AGP for resp. nos. 1 and 2.

Shri Nikhil Dhawada, Adv holding for Shri Hemant Chandurkar, Advocate for
resp. nos. 3 and 4.

CORAM : V.M. DESHPANDE AND
S.M. MODAK, JJ.

DATE : 26-02-2020.

The petitioner is represented by its Counsel Shri M.Y. Wadodkar. The State and its functionaries are represented by Shri Amit Madiwale and respondent nos. 3 and 4 are represented by learned Counsel Shri Nikhil Dhawada holding for Shri Hemant Chandurkar, Advocate.

2. The Writ Petition was filed challenging the public auction notice published by the respondent no.2. As per the said notice dated 04-03-2017, the public auction was to be held on 17-04-2017.

3. The learned Counsel for the petitioner submits that the said public auction did not take place. In this backdrop, it is his submission that, as on today, there is no grievance of the petitioner. He, therefore, submits that the petitioner be permitted to withdraw this Writ Petition. He submits that liberty be granted to the petitioner to file petition afresh, if fresh cause of action is there in favour of the petitioner.

4. The petition is disposed of as withdrawn with liberty to the petitioner to approach this Court afresh, if the petitioner feels aggrieved by any action on the part of the respondents.
5. All the points raised in this Writ Petition are kept open.
6. Needless to mention that all the pending applications are disposed of.
7. With this, the Writ Petition is disposed of. No costs.

(S.M. Modak, J.)

(V.M. Deshpande, J.)