

Gaikwad

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9400 OF 2021

Mrs. Neela Yogesh Shah & Anr.

...Petitioners

V/s.

The Recovery Officer attached to
Malad Sahakari Bank Ltd. & Ors.

...Respondents

AND

WRIT PETITION NO.9402 OF 2021

Union Bank of India

...Petitioner

V/s.

Mrs. Neela Yogesh Shah & Ors.

...Respondents

Mr. Sidharth Samantrey with Mr. Kushal Sawant i/b. Mr. Puneet Gogad for
for Petitioner in WP No.9400/21 & for Respondents in WP No.9402/21.

Mr. Sanjay Anabhawane for Respondent Nos.1 & 2 in WP No.9400/21 & for
Respondent No.4 in WP No.9402/21.

Mr. Navin Arora i/b. Sagar & Sagar Law Office for Respondent No.3 in WP
No.9400/21 & for Petitioner in WP No.9402/21.

CORAM : G. S. KULKARNI, J.

DATE : DECEMBER 22, 2021

PC :

1 Learned counsel for the petitioner makes a statement that his
client is willing to hand over possession of the commercial premises along
with the plant and machinery namely Gala/Unit No.4 & 5 Dadoba
Compound, AnjurPhata, Near Pritesh complex, Bhiwandi, Thane - 421302.
The statement as made on behalf of the petitioner is accepted.

2 In view of such statement, the learned Counsel for the
respondent No.2 makes a statement that his client shall not take steps to

take possession of the residential premises namely A/504, 5th Floor, Maitri Residency li CHS Ltd. Opp. Poisar Gymkhana, Mahavir Nagar, Kandivali (West), Mumbai – 400 067.

3 Having recorded the above arrangement between the parties, in my opinion, the petition needs to be disposed of with liberty to the petitioner to approach the Divisional Joint Registrar under Section 154 of the Maharashtra Co-operative Societies Act, 1960. Petitioner is at liberty to avail the alternate remedy. The revision be filed within two weeks from today. All contentions in that regard are expressly kept open.

4 Petition is disposed of. No costs.

(G. S. KULKARNI, J.)