

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

WRIT PETITION NO. 605 OF 2023

Rahul Dilip Pradhan and Ors. ...Petitioners

V/s.

Adarsh Credit Co-operative Bank Ltd. And
Ors. ...Respondents

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Ms.Swatantri Waghmare, Advocate for Petitioners.

Mr.Kalpesh Patil a/w Mr.Prashant P. Raul, Advocates for Respondent No.1

Mr.Pritesh C. Naik a/w Mr.Subhash S. Mali, Recovery Officer Respondent No.1.

Mr.Rahul Dilip Pradhan, Petitioner Present.

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**CORAM : K. R. SHRIRAM &
RAJESH S PATIL, JJ.**

DATED : 18th JANUARY 2023

P.C.:

Without going into the merits of the matter, Ms.Waghmare, on instructions from Petitioner No.1 who is present in Court, undertakes to pay a sum of Rs.6 lakhs by 31st January 2023, a further sum of Rs.10 lakhs by 28th February 2023, and a sum of Rs.1,42,312/- by 15th March 2023. According to Ms.Waghmare, if there had not been a default, the total amount payable would have worked

This order is corrected vide Speaking to the Minutes order dated 24.01.2023

out to Rs.17,42,312/- by 31st March 2023. Ms.Waghmare states that if these amounts are paid, Respondent No.1 should also regularise the account and continue the relationship.

2 Mr.Patil for Respondent No.1, on instructions from Mr.Pritesh C. Naik and Mr.Subhash S. Mali, Recovery Officer of Respondent No.1, unconditionally accepts the proposal made by Ms.Waghmare. Of course, Mr.Patil places a rider that if there is even one default, Respondent No.1 will proceed with taking possession of the mortgaged property by giving only 24 hours notice recording therein the default committed.

3 In view of the undertaking recorded in paragraph No.1 above, Mr.Patil states that Respondents will not act on the impugned notice dated 27th December, 2022.

4 Petition disposed.

5 Petitioner is put to notice that no further Petition will be entertained and no extension will be granted.

(RAJESH S. PATIL, J.)

(K. R. SHRIRAM, J.)