

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7629 OF 2023

M/s.Durga Associates through
its Managing Partner ..Petitioner

Versus

State Bank of India & Ors ..Respondents

ANJALI
TUSHAR
ASWALE

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ANJALI TUSHAR
ASWALE
Date: 2023.06.28
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Mr. Nitin P. Deshpande, Advocates for the Petitioner

***Mr.H. A. Khan i/b Ajinkya Kurdukar, Advocates for
Respondent No.1.***

Mr. Anup Lahoti, Advocates for Respondent Nos.3 to 6.

**CORAM : B. P. COLABAWALLA, J &
M. M. SATHAYE, JJ.**
DATE : JUNE 27, 2023

P.C.

The above Writ Petition is filed seeking to quash and set aside the Notice dated 3rd April, 2021 issued under Section 13 (2) of the SARFAESI Act, 2002 as well as the Notice dated 8th February, 2023 which appears to be a possession notice issued under the Security Interest (Enforcement) Rules, 2002.

2 When we pointed out to the Petitioner that he has an equally efficacious alternate remedy under Section 17 of the

SARFAESI Act, 2002, the learned counsel, on instructions, sought leave to withdraw the above Petition with liberty to pursue the alternate remedy.

3 In these circumstances, the above Writ Petition is dismissed as withdrawn with liberty as prayed.

4 This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M. M. SATHAYE, J.]

[B. P. COLABAWALLA, J].