



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 11810 OF 2023

Dynada Shaikshnik Samajik Sanstha and Anr. ...Petitioners

Versus

Varthana Finance Pvt. Ltd. And Ors. ...Respondents

Ms. Renuka A. Birajdar i/b. Mr. Prasad S. Nagargoje, *for*
Petitioner Nos. 1 & 2.

CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.

DATE : SEPTEMBER 20, 2023

P. C.

1. The above Writ Petition is filed *inter alia* challenging the Order dated 16.01.2023 passed by the learned Chief Judicial Magistrate, Nashik U/s. 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short the “**SARFAESI Act, 2002**”). When we pointed out to the learned counsel appearing on behalf of the Petitioner that the Petitioner has an equally efficacious alternate remedy available U/s. 17 of the **SARFAESI Act,**

2002, she sought leave to withdraw the above Writ Petition with liberty to avail the alternate remedy.

2. In these circumstances, the above Writ Petition is dismissed as withdrawn, with liberty as prayed. There shall be no order as to cost.

3. 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.]