

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

WRIT PETITION NO.1329 OF 2024

Abdul Khalique Chauhan

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

Mr.R.U. Singh a/w Shabnam Shaikh, Advocates for the
Petitioner.

Ms.M.S.Bane, AGP for State-Respondent.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : JANUARY 30, 2024

P. C.

1. The above Writ Petition is filed inter alia calling upon Respondent Nos.1 to 3 to raise the seal put up on the door of the commercial shop No.9 and 10 situated at E.M. Palace Co-operative Housing Society Limited, Navghar, Manikpur, Sai Nagar, Vasai (W) 401202, District-Palghar, Maharashtra and also to hand over the vacant physical possession of the said shops to the Petitioner.

2. The aforesaid sealing and dispossession took place pursuant to the order passed by the Collector under Section 14 of the SARFAESI Act, 2002.

3. The learned advocate appearing on behalf of the Petitioner fairly stated that the Petitioner has an alternate remedy by approaching the DRT under Section 17 of the SARFAESI Act, 2002. In these circumstances, he sought leave to withdraw the above Writ Petition with liberty to approach the DRT.

4. Considering the fair stand taken by the learned advocate appearing on behalf of the Petitioner the above Writ Petition is dismissed as withdrawn with liberty as prayed.

5. 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.

[SOMASEKHAR SUNDARESAN, J.]

[B.P.COLABAWALLA, J.]