

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3028 OF 2024

Tata Capital Housing Finance Ltd ...Petitioner

Versus

Trunesh Arun Deolekar & Ors ...Respondents

Mr. Nikhil Mehta, i/b KMC Legal Venture, Advocates for the
Petitioner.

Mr. A.I. Patel, Addl.GP, a/w P.N. Diwan, AGP, for Respondent-
State.

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

DATE : MAY 02, 2024

PC :

1. Mentioned. Taken out of turn.
2. The above Writ Petition is filed seeking a direction to Respondent No.3 to forthwith take physical possession of the mortgaged property in terms of the order dated 21st December, 2020, passed by the Addl. District Magistrate, Thane under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. The learned Counsel appearing on behalf of the Petitioner submitted that during the pendency of the above Writ Petition, physical possession of the mortgaged property has been taken and thereafter handed over to the Authorized Officer of the Petitioner. He, therefore, submitted that nothing survives in the above Writ Petition and sought leave to withdraw the same.

4. In these circumstances, the above Writ Petition is disposed of as withdrawn. However, there shall be no order as to costs.

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.]