

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2782 OF 2024

Tata Capital Housing Finance Ltd ..Petitioner

Versus

Mr.Manoj Kumar Bhagwan Mishra & Ors ..Respondents

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

***Mr.A. I. Patel, Addl.G.P., with Ms. Tanaya Goswami,
AGP, for the Respondent/State.***

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**
DATE : APRIL 22, 2024

P.C.

The above Writ Petition has been filed inter alia to direct Respondent No.3 to take physical possession of the mortgaged property in terms of the order dated 28th August, 2023 passed under Section 14 of the SARFAESI Act, 2002.

2 The learned counsel appearing on behalf of the Petitioner submitted that during the pendency of the above Petition, the order passed under Section 14 of the SARFAESI Act, 2002 has been implemented and physical possession of the secured asset has been handed over to the Authorized Officer of

the Petitioner. He, therefore, submitted that nothing would survive in the above Writ Petition, and the same be permitted to be withdrawn.

3 Considering the statement made on behalf of the Petitioner, the above Writ Petition is dismissed as withdrawn. No order as to costs.

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.

[SOMASEKHAR SUNDARESAN, J.] [B. P. COLABAWALLA, J.]