

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

WRIT PETITION NO. 301 OF 2024

LAXMI
SUBHASH
SONTAKKE

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Date: 2024.02.28
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Tata Capital Financial Services Ltd.

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Adv. Nikhil Mehta i/b. KMC Legal Venture for the Petitioner.

Mr. A. I. Patel, Addl.GP. a/w Tanaya Goswami, AGP for
Respondent No.1.

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

DATE: FEBRUARY 28, 2024

P. C.

1. The above Writ Petition is filed inter-alia seeking a direction to Respondent No.2 to take physical possession of the mortgaged property being Flat No.303, A Building, Venkatesh Serenity, Near DSK Vishwa, Dhayari, Pune 411041, in terms of the order dated 10th August, 2023 passed by the District Magistrate under Section 14 of the SARFAESI Act, 2002.

2. The learned Counsel appearing for the Petitioner submitted that during the pendency of the above Petition, physical possession of

the mortgaged property has been taken and handed over to the authorized officer of the Petitioner. He, therefore, submitted that nothing survives in the above Petition and he may be granted leave to withdraw the same.

3. In these circumstances, the above Writ Petition is dismissed as withdrawn.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.]