

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

WRIT PETITION NO.18623 OF 2024

Sachin Dinkar Patil and Anr. .. Petitioners
Vs.
The State of Maharashtra,
Through Chief Judicial Magistrate, Thane and Anr. .. Respondents

Mr. Kishor A. Shinde, Advocate for the Petitioners.
Mrs. M.S. Srivastava, Assistant Government Pleader for the Respondent-
State of Maharashtra.
Ms. Fatima Lakdawala, Advocate for Respondent No.2-Indian Bank.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 17TH DECEMBER 2024.

PC. :

1. This writ petition is filed seeking stay to the execution and implementation of the orders dated 6th August 2024 and 24th September 2024 passed by the Chief Judicial Magistrate, Thane in Criminal Miscellaneous Application No.308 of 2024 (*Indian Bank Vs. Maharashtra Services and two others*).

2. Ms. Fatima Lakdawala, learned counsel appearing on behalf of respondent no.2-Bank submits that the Bank has deferred the steps scheduled for taking possession of the secured asset and the borrower has already approached the Debts Recovery Tribunal-III, Vashi. She further submits that whenever any further steps for taking possession are scheduled by the Bank, a notice will be served on the petitioners. Statement is accepted.

3. In view of the above, the petitioners would be at liberty to move the Debts Recovery Tribunal-III challenging the said notice. As such, nothing survives in the writ petition. The writ petition is disposed of as not entertained.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]