

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.87 OF 2018
IN
EXECUTION APPLICATION NO.580 OF 2014

Mrs. Geeta Yatin Desai

...Applicant
(Third Party)

In the matter between:

The Shamrao Vithal Co-Operative Bank
Ltd.

...Applicant
(Judgment Creditor)

Versus

Vinay Traders & Anr.

...Opponents
(Judgment Debtor)

Mr. Vishal Thaker a/w Ms. Anjali Trivedi i/by Kaushalya Prajapati for
the Applicant/Third Party.

Mr. Mohan Raut i/by Mr. Vishal Narkar for the Applicant.

Ms. Geeta Desai Applicant/Third Party is present in person.

CORAM : R.I. CHAGLA J

DATE : 9 February 2024

SHARAYU
PANDURANG
KHOT

ORDER :

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SHARAYU
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1. The learned Counsel appearing for the Applicant/Third
Party in the Chamber Summons No. 87 of 2018 filed in Execution

Application No. 580 of 2014 has brought to the notice of this Court that the learned Counsel appearing for the Judgment Creditor had inadvertently sought withdrawal of the Chamber Summons instead of Execution Application on 24th January 2024 and this Court had withdrawn the Chamber Summons No. 87 of 2018 which had been filed by the Applicant/Third Party. This has been confirmed by the learned Counsel for the Judgment Creditor. Accordingly, recall of the said order dated 24th January 2024 has been sought.

2. Having considered the submission, it appears that through inadvertence the Chamber Summons was disposed of instead of the Execution Application. Accordingly, the said order dated 24th January 2024 is recalled.

3. The learned Counsel appearing for the Judgment Creditor has sought withdrawal of the Execution Application on the ground that the matter has been settled.

4. In view thereof, Execution Application No. 580 of 2014 stands disposed of as withdrawn.

5. Attachment warrant levied on the said property stands discharged.

6. Chamber Summons No. 87 of 2018 filed by the Applicant/Third Party has become infructuous and is accordingly, disposed of.

[R.I. CHAGLA J.]