

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2955 OF 2024

WITH

CIVIL APPLICATION NO. 3 OF 2025

M/s. Aditi Automobiles & Anr.

....*Petitioners*

: *Versus* :

Greater Bombay Co-operative
Bank Ltd. and Ors.

....*Respondents*

WITH

WRIT PETITION NO. 3909 OF 2016

WITH

INTERIM APPLICATION NO. 342 OF 2020

Sou. Sumedha Sanjay Joshi

....*Petitioner*

: *Versus* :

Greater Bombay Co-operative
Bank Ltd. and Ors.

....*Respondents*

Mr. Sachin Dhakephalkar, *for the Petitioners.*

Mr. Vivek Walawalkar *i/by. Mr. Sameer R. Bhalekar, for Respondent No.1.*

Ms. Sulbha D. Chipade, *AGP for State.*

CORAM : SANDEEP V. MARNE, J.

Dated : 7 March 2025.

P.C. :

1) These petitions are in respect of Recovery Certificate issued by the Bank. It appears that in Writ Petition No.3909/2016, this Court

had directed deposit of amount of Rs.15,00,000/- in this Court which deposit is apparently made. Mr. Walawalkar, the learned Counsel appearing for the Bank would submit that in addition to deposited amount in this Court together with accrued interest, certain amounts are lying in the Accounts of the borrower and guarantor and if the Bank is permitted to withdraw the entire amount deposited in this Court with further liberty to recover the balance amounts from such Accounts, the entire claim of the Bank towards Recovery Certificate would get satisfied. It appears that a proposal to this effect is infact given to the clients of Mr. Dhakephalkar. In that view of the matter, nothing would survive to be adjudicated in the present petitions. The Respondent-Bank is accordingly permitted to withdraw the entire amount deposited in this Court alongwith accrued interest. The Respondent-Bank shall also recover the balance amount from the Accounts of M/s. Aditi Automobiles, Anil Govind Ghige and Sumedha Sanjay Joshi. The Bank shall provide account statement in respect of the Loan Account to the Petitioners immediately after the entire recovery process is over. If the Petitioners find that any excess recovery is made from them, they would be at liberty to adopt such proceedings as may be maintainable in law. With the above directions, the Petitions are **disposed of**.

2) With disposal of the petitions itself, Civil Application No.3/2025 and Interim Application No.342/2020 shall not survive. The same shall also stand disposed of.

[SANDEEP V. MARNE, J.]