XITEM NO.211 Court No.3 SECTION IX

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).25063/2009

(From the judgement and order dated 18/08/2009 in WP No. 728/2009 of The HIGH COURT OF BOMBAY AT NAGPUR)

M/S ANAND AGRO AGENCIES Petitioner(s)

VERSUS

AKOLA JANATA COMMERCIAL COOP.BANK LD.&OR Respondent(s)
(With appln(s) for exemption from filing c/c of the impugned Judgment and prayer for interim relief and office report))
(For final disposal)

Date: 23/10/2009 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s) Mr. Gagan Sanghi,Adv.
Mr. Rameshwar Prasad Goyal,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Issue notice returnable six weeks hence.

The petitioner shall, in terms of the undertaking, given by him deliver possession of the property in question to the respondents Nos. 1 and 2 within two weeks from date upon prior intimation. We are informed by learned counsel for the petitioner that the Bank is already in possession of the godown since April, 1995. The Bank will be at liberty to sell the same for the recovery of the amount due. As far as the house/residential property is concerned, upon receiving the possession of the same, the Bank respondents Nos. 1 and 2 shall not deal with or encumber the same until further orders.

Let a copy of this order be made over to the learned Advocate-on-Record for the petitioner for communication to the respondents Nos. 1 and 2 forthwith.

(Ganga Thakur)
PS to Registrar

(Juginder Kaur)
Court Master