

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8006 OF 2015

Rohidas Bhivsan Shinde

Petitioner

Versus

The State of Maharashtra and others

Respondents

Mr.D.B. Thoke advocate for the petitioner
Mr. N.B. Patil, AGP for Respondents

CORAM : R.M. BORDE &
P.R. BORA, JJ

Dated : 4th AUGUST, 2015.

PER COURT :-

1 The petitioner is challenging the notices issued by the Sub Divisional Magistrate dated 5.6.2015 and 10.7.2015 calling upon certain explanation from the petitioner.

2 It is the contention of the petitioner that, the District Magistrate has handed over the possession of the property and in view of section 43 of the Securitisation & Reconstruction of Financial Assets & Enforcement of Security Interest Act, it is not open for the authority to embark upon anything further. Necessary explanation has been tendered to the Collector / Sub divisional Officer. After tendering such explanation, nothing has been done by the Sub divisional Officer or the Collector.

3 The petition is presented merely on the basis of apprehension. If at all the Sub-divisional Officer or the Collector proceeds to take any step, it would be open for the petitioner to

take recourse to appropriate remedies. The concerned Officer will surely look into the objections, as regards the jurisdiction to entertain any complaint raised by the petitioner and would take appropriate steps.

3 In view of the reasons set out above, at this stage of the proceedings, since there is no adverse order issued, no interference is called-for. Keeping the option of the petitioner to avail of remedies available in law, at an appropriate stage, open, writ petition stands disposed of.

(P.R. BORA, J)

(R.M.BORDE, J)