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

WRIT PETITION No.2007 OF 2014

Chandraprakash Narang and Anr.

....Petitioners

Vs.

The Janalaxmi Co-operative Bank Ltd.
and Ors.

....Respondents

Mr.Rushabh Shah a/w. Mr. Puneet K. Gogad for Petitioners
Mr. R.S. Ghadge i/b. A.S. Desai for Respondents

CORAM : V. M. KANADE &
A. R. JOSHI, JJ

DATE : MARCH 11, 2015

P.C. :

1. The learned counsel appearing on behalf of the Respondents has submitted that the Respondents have attached two shops pursuant to the order passed by the Co-operative Court.

2. The Petitioners are challenging the action of the Respondents of attaching the two shops viz. Shop Nos. 29 and 30, on the ground that the action of taking possession under the SARFAESI Act is bad in law.

3. In the reply, it is specifically mentioned that the said two shops attached pursuant to the order passed by the Co-operative Court and Co-operative Appellate Court in Appeal No. 121 of 2011 by order dated 22.4.2013. That being the position, the remedy available

to the Petitioner is to approach the Co-operative Appellate Court for the purpose of vacating the order of attachment. Reserving the right of the Petitioner, the writ petition is disposed of. It is clarified that the order of attachments is not under the SARFAESI Act.

[A.R. JOSHI, J.]

[V. M. KANADE, J.]