

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

WRIT PETITION NO. 4693 of 2015

Mr. Jasmin K. Shah ... Petitioner

V/s.

Kotak Mahindra Bank Ltd. ... Respondents

Mr. Doveson Cheruvathur for the petitioner.

Mr. Sanjay Anabhawane i/b. M & S Legal for respondent no.1.

**CORAM : NARESH H. PATIL AND
V.L. ACHLIYA, JJ.**

8th May, 2015.

P.C.

Heard learned Counsel for the parties.

2. Perused the order passed by DRT-III. The learned Counsel for the petitioner submits that two weeks time was granted by the Debt Recovery Tribunal for filing appropriate appeal. Due to financial stringency and non availability of Presiding Officer, DRAT, Mumbai, appeal could not be filed.

3. We have heard the learned Counsel appearing for Kotak Mahindra Bank. He submits that petitioner has not filed any statutory appeal against the said order.

4. It is informed that the charge of Presiding Officer, DRAT Mumbai is handed over to DRAT, Chennai.
5. Considering the facts and submissions advanced, we direct that parties shall maintain status-quo in respect of subject flat No. 302, 3rd floor, Sai Ram Apartment, Marve Road, Bawdi Bus Stop, Orlem, Malad (West), Mumbai for a period of three weeks for facilitating the petitioner to file appropriate appeal.
6. Without expressing any opinion on merits of the case, Writ Petition is disposed of.

(V.L. ACHLIYA, J.)

(NARESH H. PATIL, J.)