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

WRIT PETITION NO. 4808 OF 2015

M/s Kamud Drugs Pvt. Ltd. & Ors. ...Petitioners
VS
The Saraswat Co-op.Bank Ltd. & Ors. ...Respondents.

.....
Mr Dinesh Diwan i/b A.R.Samant for the Petitioner
Mr Harshal Bhadbhade for Respondent Nos.1 and 2.
.....

**CORAM : S.C. GUPTA &
A.K.MENON, JJ
(VACATION COURT)**

MAY 13, 2015

P.C. :

The Petitioners challenge the order passed by DRT-II Pune on 29 April 2015. The Petitioners have a statutory remedy of appeal before DRAT. It is, however, Petitioners' case that DRAT is not sitting, since the Presiding Officer is on long leave and not likely to resume duties in near future. This Court has been given to understand in a matter heard by us today that DRAT is likely to sit on and from 15 May 2015. In that case, the Petitioners can file an appeal and agitate their grievance before DRAT. To enable the Petitioners to do this, we direct the Respondent bank not to hand over the possession of the suit property to the third party purchaser in whose favour the sale has been confirmed for a period of two weeks from today. The Petition is disposed of accordingly. There shall be no order as to costs.

(A.K.MENON J)

(S.C.GUPTA J.)