

vat

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No.6182 OF 2014

Ramesh Jethmal Manek and Ors.Petitioners
Vs.
The C.K.P. Co-operative Bank
Limited and Ors.Respondents

Mr.Kishor Patil for Petitioners
Mr. A.I. Patel -AGP for Respondent Nos.3 and 4

CORAM : V. M. KANADE &
B.P COLABAWALLA, J.J.

DATE : JULY 30, 2015

P.C. :

1. The Petitioners by this petition are challenging the Notice dated 15.5.2013 issued by Respondent No.2 under Section 13(4) of the SARFAESI Act.

2. The Petitioners have an alternate efficacious remedy of filing an appeal under section 17 of the SARFAESI Act and, therefore, we are not inclined to entertain this petition. The Petitioners are also seeking a direction, directing the Respondents to consider their proposal dated 18.6.2012 for settlement of all accounts.

3. Writ petition can be disposed of by reserving the right of the Petitioners to file an appeal under section 17 of the SARFAESI Act and simultaneously asking the bank to consider their proposal dated 18.6.2012 on merits and in accordance with law. Writ petition is disposed of in the aforesaid terms.

[B.P COLABAWALLA, J.]

[V. M. KANADE, J.]

Vaishali Tikam

z