

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.1466 OF 2015

Piyush D. Zaveri	... Petitioner
v/s	
Bank of Baroda and another	... Respondents

Mr P. Ranjan i/b M/s Halai and Co. for Petitioner.
Ms Rutuja Ambekar with Mr P.S. Gujar for Respondent No.2.

CORAM: V.M. KANADE &
B.P. COLABAWALLA JJ.

DATE : 12TH AUGUST 2015

P.C.:-

1. According to the learned counsel appearing on behalf of the Petitioner, he has complied with the order passed by the Recovery Officer, DRT-I, Mumbai. However, it is submitted that the arrest warrant issued by the Recovery Officer is still in existence. In our view, since the Petitioner has an alternate remedy of approaching the DRT by filing an Appeal against the said order under section 30 of the Recovery of Debts due to Banks and Financial Institutions Act 1993,

we are not inclined to entertain this Petition. Writ Petition is accordingly disposed of with liberty to the Petitioner to approach the DRT. Arrest warrant is stayed for a period of one week from today. We are informed that the Petitioner has also filed an Application Exh.191 before the Recovery Officer for recall of the impugned order. In this view of the matter, the Recovery Officer is directed to decide the Petitioner's Application Exh.191 as expeditiously as possible and in any event within a period of eight weeks from today.

(B.P. COLABAWALLA, J.)

(V.M. KANADE J.)