

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDCITION**

WRIT PETITION (L) NO.1611 OF 2015

M/s. Tornado Motors Pvt. Ltd. ... Petitioner.
vs.
Punjab and Sind Bank and ors. ... Respondents.

Mr. Mathews J. Nedumpara for the Petitioner.

**CORAM : R.K.DESHPANDE AND
V.L. ACHLIYA, JJ.
(VACATION COURT)
DATE : JUNE 03, 2015**

PC:

Not on board. Taken on board.

2) The learned counsel for the petitioner has categorically submitted that Civil Suit No.136/2015 has been filed in the City Civil Court at Bombay challenging the notice and/or seeking injunction in respect of such notice issued under section 13(2) of the SARFESI Act. In-spite of asking the learned counsel to place before us a copy of the plaint, he is unable to place it and submits that copy is not available with him right now. In view of the fact that the civil suit is already pending, we find any reason to entertain this writ petition.

3) The learned Counsel for the petitioner states that there are other reliefs which are claimed in the present petition and he further submits that those reliefs cannot be granted by the civil

court. If this is the position, then it shall be open for the petitioner to adopt all such other remedies if available to him in law, after the decision by the City Civil Court. The petition is dismissed.

(V.L. ACHLIYA, J.)

(R.K.DESHPANDE, J.)