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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) No. 3123 OF 2014

Chandrakant Keshav Palav ... Petitioner
Vs.
State Bank of Patiala & Anr. ... Respondents

Mr. Chandrakant, the Petitioner in person.

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

DATE : AUGUST 4, 2015

PC.

1. The grievance of the Petitioner is that Respondent No. 1 has not considered his case of one time settlement as per the guidelines / circular issued by the RBI. It is submitted that Petitioner has deposited Rs. 99 lakhs by way of interest. So far as prayer clause (b) is concerned, Petitioner can challenge the demand notice of Respondent No. 1 issued under Section 13(2) of the SARFAESI Act, 2002. In our view, the said notice cannot be challenged before us by filing petition under Article 226 of the Constitution of India. Petitioner is at liberty to take out an appropriate proceeding before the DRT and challenge the measures taken by the Respondent-Bank under

Section 13(2) of the said Act. Reserving the said right, writ petition is disposed of by directing Respondent No. 1 to consider the Petitioner's case of one time settlement, as per the RBI guidelines, within 4 weeks and communicate the said decision to the Petitioner. Interim order is vacated.

. Parties to act on an authenticated copy of this order.

Sd/-

[B. P. COLABAWALLA, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath