

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5044/2015

Dilip Bhikaji Choudhary

...Versus...

District Magistrate/Collector, Buldhana, Tq. & Distt. Buldhana and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri N.A. Gawande, Advocate for petitioner

**CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.**

DATE : 31.08.2015

Heard.

We find that the petitioner has an alternate efficacious remedy of filing an appeal under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and in such matters interference under Article 226 of the Constitution of India is unwarranted.

It would be worthwhile to refer to the judgment reported in *2011 (2) Mh.L.J. 342 (State Bank of India...Versus...Jigishaben B. Sanghavi and others)* in this regard.

In view of the existence of an alternate efficacious remedy, the petitioner seeks permission to withdraw the writ petition so that the petitioner could avail the alternate remedy.

The writ petition stands disposed of as withdrawn in view of the request made by the learned Counsel for the petitioner. The points raised in the petition are kept open.

JUDGE

JUDGE