

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 9581 OF 2013

IDBI Bank Ltd.,
Through its Branch Head,
Pradeep S/o. Govindrao Hardikar .. Petitioner

Versus

Union of India and others .. Respondents

Shri S. S. Deve, Advocates for the Petitioner.
Shri S. B. Deshpande, A. S. G. for Respondent Nos. 1 and 2.
Shri Girish Rane, Advocate for the Respondent No. 3.
Shri S. H. Tripathi h/f Shri J. R. Shah, Advocate for the
Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.**

DATE : 16TH JUNE, 2016.

PER COURT :

. We have heard the learned counsel for respective parties.

2. The present writ petition is filed against the order passed below Exh. 10 by the Presiding Officer, Debt Recovery Tribunal, Aurangabad in Original Application No. 143 of 2013, thereby releasing two properties of the present respondent No. 5. This court vide order dated 28th November, 2013 has granted ad-interim relief in terms of prayer clause "D" i. e. the order passed

below Exh. 10 in O. A. No. 143 of 2013 is stayed by this Court. The said interim order is still in force.

3. It is submitted that, as yet the original application is not decided, there was no impediment for the Debt Recovery Tribunal to decide the original application on its own merits.

4. No purpose would be served by keeping the writ petition pending. It would be in the interest of all the parties to get the Original Application No. 143 of 2013 decided expeditiously.

5. The learned counsel for the respective parties agree to co-operate in expeditious disposal of the Original Application No. 143 of 2013.

6. In light of the above we pass the following order.

A] The Debt Recovery Tribunal, Aurangabad shall decide the Original Application No. 143 of 2013 expeditiously, on its own merits, in accordance with law and preferably within a period of nine (9) months from today.

B] Parties shall co-operate in expeditious disposal of the said proceeding.

C) Till the Original Application No. 143 of 2013 is decided, interim order passed by this court on 28th November, 2013 shall remain in force.

D) The writ petition is accordingly disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 16