

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

WRIT PETITION NO. 10372 OF 2013

Sanjay Parsaram Ghatolkar .. Petitioner

Versus

The Union of India and others .. Respondents

Shri S. G. Dodya, Advocate for the Petitioner.

Shri S. B. Deshpande, A.S.G. for the respondent/Union of India.

Shri P. B. Paithankar, Advocate for Respondent Nos. 3 to 5.

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

DATE : 04TH JULY, 2016.

PER COURT :

. Mr. Dodya, the learned counsel for the petitioner submits that, the respondent Nos. 3 to 5 be directed to regularize or reschedule the loan of the petitioner in view of the circular issued by the Reserve Bank of India from time to time. The learned counsel for the petitioner states that, the petitioner is entitled for the benefit of the said scheme.

2. Mr. Paithankar, the learned counsel for respondent Nos. 3 to 5/bank submits that, the respondent/bank has already initiated action under the provisions of Sec. 13(4) of the Securitization of Financial Assets and Enforcement of Security

Interest Act (for short "Said Act"), the petitioner has assailed the said action before the Debt Recovery Tribunal U/Sec. 17 of the said Act and the same is pending.

3. In view of the fact that, litigation between the parties is pending before the Court, it would not be appropriate to consider the case of either of the parties in the present petition. The petitioner may make application before the D.R.T. where the proceedings are pending. If such an application is made, the respondents may agitate its grounds of defence. The writ petition accordingly is disposed of with aforesaid observations. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 16