

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 247 OF 2016

MR. RAMDEEN KEVAT AND 9 ORS., ... Petitioners
Versus
CANARA BANK, A NATIONALIZED BANK
THR ITS GENERAL MANAGER AND ANR., ... Respondents

Mr. Nigel Da Costa Frias, Advocate for the petitioners.
Mr. Mahesh Amonkar, Central Government Standing Counsel for
R.no.1

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 25th February, 2016

P.C.

Heard Mr.Nigel Da Costa, learned counsel appearing for the petitioners and Mr. Mahesh Amonkar, learned Central Government Standing Counsel appearing for the respondent no.1.

2. The above petition is filed by the petitioners on an apprehension that the assets of the respondent no.2 may be disposed of by the respondent no.1, which would result in non-payment of dues to the petitioners.

3. Mr. Amonkar, learned Central Government Standing Counsel appearing for the respondent no.1, points out that the liability of the respondent no.2 to the respondent no.1 works out to more than 175 crores and as such, according to him, presently there is no move to dispose of assets of the respondent no.2. In any event, the claim of

the petitioners has not yet been decided for the alleged dues which are stated to be pending before the learned Tribunal. The petition filed by the petitioners is premature. In any event, no relief can be granted under Article 226 of the Constitution of India, based on mere apprehension.

4. Therefore, the petition stands disposed of. All the contentions of the parties are left open. Liberty to the petitioners to apply.

5. At this stage, Mr.Nigel Da Costa, the learned counsel appearing for the petitioners seeks a direction to expedite the proceedings before the learned Tribunal. The learned Tribunal is requested to decide the dispute raised by the petitioners, as expeditiously as possible, in accordance with law.

K. L. WADANE, J.

F. M. REIS, J.

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