

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1257 OF 2016

Mrs.Shantabai Mangilal Rathod. ... Petitioner.

V/s.

The Vishweshwar Sahakari Bank Ltd. & others. ... Respondents.

S.S.Patwardhan for the petitioner.

Shrivallabh Panchpor i/b. SNP Legal for respondent Nos.1 and 2.

CORAM : A.S. OKA AND C.V.BHADANG, JJ

DATED : 29th January 2016.

P.C. :

Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent Nos.1 and 2. The learned counsel appearing for the petitioner states that the Presiding Officer of the Debt Recovery Tribunal (DRT), Pune is not available from 27th January 2016 to 1st February 2016. On instruction, he states that the charge of the Presiding Officer has not been given to any of the Presiding Officers of any other DRT. He states that the petitioner is likely to be dispossessed today at 11.30 a.m.

2. The learned counsel appearing for the respondent Nos.1 and 2 states that though an application was made for interim relief along with the application under section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 the

same is not pressed. However, he is not disputing that the learned Presiding Officer of the DRT, Pune is not available till Monday i.e. 1st February 2016.

3. To enable the petitioner to move the DRT, Pune we propose to grant limited protection and, accordingly, the petition is disposed of by passing the following order:

ORDER

(i) We direct that the petitioner shall not be dispossessed for a period of one week from today to enable the petitioner to move the learned Presiding Officer, DRT, Pune. We make it clear that any application made by the petitioner shall be heard and decided by the DRT without being influenced by the limited protection granted by this Court to the petitioner.

(ii) Petition is disposed of in the above terms.

(iii) All concerned to act on an authenticated copy of this order.

(C.V. BHADANG, J)

(A.S.OKA, J)