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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 1731 OF 2016

Indian Overseas Bank ... Petitioner
Vs.
Mr. Abhay Raghunath Bhatwadekar & Ors. ... Respondents

Mr. Nikhil Rajani i/b V. Deshpande & Co., for the Petitioner.
None for the Respondents.

CORAM : V. M. KANADE, &
Smt. SWAPNA S. JOSHI, JJ.

DATE : AUGUST 18, 2016

PC.

1. By this petition, which is filed under Article 226 of the
Constitution of India, the Petitioner is seeking following reliefs:

- (a) this Hon'ble Court be pleased to issue a Writ of
Certiorari or a Writ in the nature of Certiorari or
any other appropriate writ, order or direction
calling for records and proceedings of Appeal No.
45 of 2014 and / or Miscellaneous Application No.
291 of 2014 filed by the Petitioner pending before
the Debts Recovery Appellate Tribunal, Mumbai

and after examining the same be pleased to order and direct the same to dispose the same as expeditiously as possible or may direct to hear and dispose of the same within a period of 4 weeks or within such period as this Hon'ble Court deems fit and proper;

- (b) pending the hearing and final disposal of the said Appeal No. 45 of 2014, the Debts Recovery Appellate Tribunal, Mumbai be ordered and directed to hear and dispose of the Miscellaneous Application No. 291 of 2014 filed by the Petitioner for injunction.
- (c) For ad-interim relief in terms of prayer clause (b) herein above.
- (d) for costs;
- (e) for such other and further relief as this Hon'ble Court may deem fit and proper;

2 Since the only relief claimed by the Petitioner is to give directions to the Debt Recovery Appellate Tribunal, Mumbai (for short "DRAT") to decide the pending matters, petition can be conveniently disposed of by giving the directions to the DRAT to decide Appeal No. 45 of 2014 alongwith Miscellaneous Application No. 291 of 2014

alongwith connected Appeal No. 43 of 2014 filed by the Petitioner, as expeditiously as possible, and in any case within a period of 8 weeks, on merits and in accordance with law. Writ petition is accordingly disposed of in the aforesaid terms.

Sd/-

[Smt. SWAPNA S. JOSHI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath