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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION No. 1908 OF 2016

Mrs. Rekha Ramesh Lodha and Anr.

....Petitioners

Vs.

Kotak Mahindra Bank Ltd. And Ors.

....Respondents

Mr.Sitesh S. Sharma for Petitioners

Mr. Nikhil Rajani i/b. Mr. V. Deshpande and Co. for Respondent Nos.1
and 2

***CORAM : V. M. KANADE &
M.S. KARNIK, JJ.***

DATE : MARCH 23, 2016

P.C. :

1. The learned counsel appearing on behalf of Respondent No.1 Bank submits that the Petitioner has an alternate efficacious remedy of filing an appeal under section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002.

2. We are, therefore, of the view that the Petitioner should approach the DRT by filing an appeal. Writ petition is disposed of, reserving the right of the Petitioner to file an appeal under section 17 of the SARFAESI Act.

3. Interim order passed by this Court to continue for a period of four weeks.

M.S. KARNIK, J.

V.M. KANADE, J.