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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4058 OF 2014

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. roshan D'Souza i/b Flavia Legal for the Petitioner
Mr. Zeus Dhanbhoora i/b Bharucha & Partners for the
Respondent No.1

CORAM : A.S.OKA, &
C.V.BHADANG, JJ.
DATE : JANUARY 11, 2016.

P.C.

1 Prayer clause (a) seeks a writ of mandamus against the Reserve Bank of India. There is no averment in the petition that before filing of this petition under Article 226 of the Constitution of India, the petitioner approached the second respondent-RBI by way of a representation and sought justice. Therefore, prayer (a) is premature and cannot be entertained.

2 As far as prayer clauses (b) to (d) are concerned, after issuing a notice dated 24th November 2011 under sub-section 2 of Section 13 of the Securitization and Reconstruction

of Financial Assets and Enforcement of Security Interest Act, 2002, no further action has been taken by the first respondent. Therefore, the challenge incorporated in prayers (b) to (d) is premature.

3 Hence, as of today, there is no reason to entertain this petition under Article 226 of the Constitution of India. Writ petition is disposed of. All contentions on merits are kept open.

(C.V.BHADANG,J.)

(A.S.OKA,J.)