

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 7891 OF 2015**

Sanjay Santosh Kapoor	..	Petitioner
versus		
Union Bank of India & Ors.	..	Respondents

Mr. Ajay Panicker with Amrita Soni i/b. Ajay Law Ass. for petitioner.
Mr. Jamshed Ansari for respondent no. 1.
Mr. N. V. Bhutekar for respondent no. 8.

**CORAM: D. H. WAGHELA, C. J. AND
M. S. SONAK, J.
DATE : 29 APRIL 2016**

P.C.:

1] Rule. At the request of and with consent of the learned counsel for the parties, Rule is made returnable forthwith.

2] The challenge in this petition is to the order dated 20 April 2015, to the extent the Debt Recovery Appellate Tribunal (DRAT) has vacated the interim relief granted on 11 September 2006 in misc. application no. 382 of 2006.

3] Learned counsel for the petitioner points out that the petitioner had deposited the sum of Rs.1,00,000/- within the prescribed period in terms of the order dated 11 September 2006 and therefore, there was no justification for vacating the interim relief. The record indeed indicates that the amount of Rs.1,00,000/- had been deposited by the petitioner.

4] That apart, the interim order granted by this Court has been continuing till today. The main appeal before DRAT is stated to be fixed for final hearing on 29 July 2016. Learned counsel for the petitioner states that the petitioner will not seek any unnecessary adjournments and will fully cooperate in the matter of expeditious disposal of the appeal before the DRAT. Accordingly, we direct the DRAT to dispose of the appeal pending before it finally as expeditiously as possible and in any case before 31 August 2016. The *status quo* which is continued thus far, will continue till the final disposal of the appeal.

5] In case the respondent bank is desirous to seek preponment of the date of the final hearing, the bank will be at liberty to do so. If possible the DRAT may consider taking up the appeal for final disposal at an earlier date.

6] The impugned order is set aside to the aforesaid extent. Rule is also made absolute to the aforesaid extent. There shall be no order as to costs.

7] All concerned to act on basis of authenticated copy of this order.

CHIEF JUSTICE

(M. S. SONAK, J.)