

VPH

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 11313 OF 2014

M/s. Prajakta International                      ...     Petitioner  
     Vs.  
Bank of Maharashtra                              ...     Respondent

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Mr. Bharat Rai Chandani i/b Mihir Deshmukh, for the Petitioner.  
Ms. Rathina Marvarman, for the Respondent.

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CORAM : V. M. KANADE, &  
             M. S. SONAK, JJ.

DATE     : JULY 19, 2016

PC.

.                The grievance of the Petitioner is that the impugned order, allowing the appeal of the Respondent, is a non-reasoned order. We have perused the impugned order passed by the DRAT. There is much substance in the submissions made by the learned counsel appearing on behalf of the Petitioner. We find that the evidence adduced by both the parties has not been examined, nor the submissions of the parties have been considered. We are, therefore of

the view that the impugned order will have to be set aside. Writ petition is allowed. Impugned order is set aside and the matter is remanded back to the DRAT, with a direction to decide the appeal on merits and in accordance with law. It is clarified that we have not made any observations on merits of the case. Writ petition is accordingly disposed of in the aforesaid terms.

Sd/-  
[M. S. SONAK, J.]

Sd/-  
[V. M. KANADE, J.]

Vinayak Halemath