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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
WRIT PETITION NO.10461 OF 2015

Dnyaneshwar Vishwanath More
Sakhar Karkhana Ltd. & Ors. ...Petitioners
vs.
The State of Maharashtra
and others ...Respondents

Mr.M.L.Patil for the Petitioners
Mr.V.P.Malvankar, AGP `A' Panel for the respondent
Nos.1 to 3.
Mr.Sagar Bataria i/b Mr.S.S.Inamdar for respondent
No.4

CORAM : A.S.OKA, &
C.V.BHADANG, JJ.
DATE : JANUARY 4, 2016

P.C.:

1 It is not in dispute that the petitioners have already adopted a remedy by making an application under section 17 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short `the said Act'). The petitioners have been already dispossessed of the alleged secured assets.

2 Therefore, all the contentions which are raised in this petition under Article 226 of the Constitution of India will have to be raised before the Debt Recovery Tribunal in the pending application under section 17 of the said Act.

3 By keeping the said contentions open, we

dispose of the petition.

4 If any application is made by the petitioner in the pending proceedings for grant of interim relief, the same shall be decided expeditiously in accordance with law.

(C.V.BHADANG,J.)

(A.S.OKA,J.)