

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1644 OF 2013**

Mr. Taga Ram Meena	...Petitioner
<i>Versus</i>	
Industrial Development Bank of India & 2 Ors.	...Respondents

Mr. D.H. Mehta, with Mr. S.J. Mishra & Mr. P.D. Tiwari,
i/b SRS Legal, for the Petitioner.
Mr. Darshan Mehta, with Ms. Nirali Sanghavi,
i/b Dhruve Liladhar & Co., for Respondent No. 1.
Mr. R.C. Master, with Ms. Jyotsna N. Pandhi,
for Respondent No. 3.

**CORAM: S.C. DHARMADHIKARI &
G.S. PATEL, JJ.**
DATED: 7th January 2016

PC:-

1. We have heard Mr. Mehta, learned Advocate for the Petitioner and after hearing him, with his assistance we have perused the Petition and Annexures at length. We are of the view that the issues raised and particularly in relation to forfeiture of Rs. 25 lakhs by the contesting Respondents cannot be resolved in writ jurisdiction. Whether the Petitioner was served with any intimation prior to forfeiture or whether it was at all issued and served or received are all disputed issues and questions of fact.

2. The Petitioner has alternate equally efficacious remedy including bringing a Suit in a Competent Civil Court if the monies are wrongfully appropriated or retained by the contesting Respondents.

3. We do not think that the issue which is obviously factual can be resolved in our limited jurisdiction. The Petition is dismissed.

(G. S. PATEL, J.)

(S.C. DHARMADHIKARI, J.)