

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2068 OF 2015

M/s. Steel & Steel

.... Petitioner

Vs.

Chairman,

The Sahebrao Deshmukh Co-operative

Bank Ltd.

.... Respondent

Ms Aparna Shinde for the Petitioner.

Mr. Vishal C. Ghosalkar for the Respondent.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : OCTOBER 13, 2016

P.C:

1. The writ petitioner is challenging an order passed by the Chief Metropolitan Magistrate under Section 14(1) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. By this order, assistance is rendered to the first respondent-Bank to enforce the measures within the meaning of

Section 13 and particularly the sub-section (4) thereof. Against such an action, there is an alternate and equally efficacious remedy of approaching the Tribunal under Section 17 of the said Act. We do not think we should entertain the writ petition, more so, when it involves disputed questions of fact. The writ petition is dismissed for want of an alternate and equally efficacious remedy.

3. Ad-interim order, if any, stands vacated.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)