

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2391 OF 2017

Pramod Narayan Mulay

.. Petitioner

Versus

State Bank of Hyderabad through
its Authorized Officer and others

.. Respondents

Shri Prashant H. Nagare, Advocate for the Petitioner.

Shri Ruturaj Patil, Advocate for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.**

DATE : 21ST FEBRUARY, 2017.

PER COURT :

. Mr. Nagare, the learned counsel for the petitioner submits that, the auction is scheduled tomorrow and the respondents are dispossessing the petitioner. The petitioner has already filed an application U/Sec. 17 of the the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, however, the Presiding Officer is not available at Aurangabad. The learned counsel submits that, the office of the Debt Recovery Tribunal, Aurangabad has intimated that, it will take atleast eight to ten days for taking the matter before the incharge D.R.T.

2. Mr. Patil, the learned counsel for the respondent/bank i. e. respondent Nos. 1 and 2 on instructions submits that, the auction sale is scheduled on 22.02.2017. The respondent Nos. 1 and 2 will not confirm the sale for a period of four weeks from today, nor shall dispossess the petitioner during the period of these four (04) weeks. The said statement made by the learned counsel for respondent Nos. 1 and 2 is accepted.

3. In view of that, the petitioner has sufficient time to move before the incharge Presiding Officer, D.R.T. The writ petition is accordingly disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Feb. 17