

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

WRIT PETITION NO. 3303 OF 2017

**POOJA ANILKUMAR BHOJRAJ AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr.V.J.Dixit, Senior Counsel i/b. Mr.P.S.Anerao,
Advocate for petitioners

Mr.M.B.Bharaswadkar, AGP for respondent nos.1 to
3, 6 and 9

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**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : MARCH 14, 2017

PER COURT :

Heard Mr.Dixit, learned Senior Counsel
for the petitioner.

2. Considering the fact that an alternate
remedy is available, we are not inclined to
entertain the petition on merit.

3. The learned Senior Counsel for the
petitioner submits that at present, the Presiding
Officer is not available at Debts Recovery

Tribunal, Aurangabad. He submits that the petitioner has already filed an Original Application, initially challenging the symbolic possession and thereafter, the same has been amended by placing on record subsequent facts.

4. In the circumstances, the petitioner can move the In-charge Presiding Officer, Debts Recovery Tribunal for emergent orders. The Presiding Officer and/or the In-charge Presiding Officer, Debts Recovery Tribunal, shall consider the prayer of the petitioner with regard to the interim order on merits, expeditiously and preferably, prior to 24.03.2017.

5. The Writ Petition stands disposed of accordingly.

6. The parties to act on authenticated copies of this order.

[SANGITRAO S. PATIL, J.] [S.V. GANGAPURWALA, J.]

kbp