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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6906/2017

Radheya Charitable Trust,
Latur. Through its President
Diniesh Janardan Bembade.
...Petitioner..

Versus

The Assistant General Manager
and the Authorized Officer,
Kallappa Anna Awade Ichalkaranji
Janta Sahakari Bank Ltd.,
(Multi-State Scheduled Bank),
Head Office, Janata Bank Bhavan,
Main Road, Ichalkaranji
Dist.Kolhapur & another.
...Respondents...

.....

Shri T.M. Venjane, Advocate for petitioner.
Shri V.P. Golewar, Advocate h/f Shri A.R. Joshi, Advocate
for respondent nos.1 & 2.

.....

**CORAM: S.C. DHARMADHIKARI &
MANGESH S. PATIL, JJ.**

DATE: 27.07.2017

ORDER :

1] After the petitioner's Advocate was informed that there is an alternate and equally efficacious remedy not only, one of appeal before the Debt Recovery Tribunal, but two of appeal to the Debt Recovery Appellate Tribunal, he prays for leave to withdraw the writ

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petition, but requests that the ad-interim order passed by this Court earlier be continued for a reasonable period.

2] Having found that this is a matter under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Act, 2002, there are complete remedies, providing adequate opportunity so also relief under the said Act, we dispose of this writ petition only on the ground that such remedies provided under the Act are equally efficacious and are available to the petitioner.

3] In order to enable the petitioner to avail of the alternative remedy, we direct that the respondents shall not dispossess the petitioner, if not already dispossessed, for a period of two weeks. This order is passed because the petitioner has paid a sum of Rs.1,10,00,000/- to the bank out of the entire amount of Rs.3,48,00,000/- approximately.

(MANGESH S. PATIL, J.) (S.C. DHARMADHIKARI, J.)