

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.819 OF 2017

M/s. Leela Enterprises & ors. .Petitioners

Vs.

Apna Sahakari Bank Ltd. & anr. .Respondents

Ms Harshada Kamble, Advocate, for the
Petitioners

Mr.S.S.Patwardhan, Advocate, for the Respondent
No.1

**CORAM : R.M.BORDE AND
A.S.GADKARI, JJ.**

DATE : 23.01.2017

P.C.

. The order under challenge in the instant Petition is passed by the learned Chief Metropolitan Magistrate on 08.10.2016 while exercising powers vested in him under Section 14 of the SARFAESI Act directing the Court Commissioner to take over physical possession of the secured assets. Since the alternate remedy of presenting an Appeal is available to the Petitioners under Section 17 of the SARFAESI

Act, the Writ Petition need not be entertained.

2. The Writ Petition is accordingly disposed of. However, the issues raised in this Petition by the Petitioners are kept open.

(A.S.GADKARI, J.)

(R.M.BORDE, J.)