

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

WRIT PETITION NO. 1388 OF 2015

Dr. Suman Shivaji Rathod Petitioner

Versus

Indian Overseas Bank Respondent

Mr. R.V.Sipahimalani for Petitioner.

Mr. Rakesh Singh i/by. M.V.Kini & Co. for Respondent.

**CORAM : R. M. BORDE AND
 A. S. GADKARI, JJ.
DATE : 6th FEBRUARY, 2017.**

P.C.

. Considering the request made by the Petitioner, writ petition can be disposed of by granting extension of period in complying with the directions issued by the Debts Recovery Appellate Tribunal, Mumbai in respect of deposit. In view of the order passed on 5th January, 2015, the Petitioner shall deposit a sum of Rs. 15 Lacs within a period of two months from today, whereas further sum of Rs. 15 Lacs shall be deposited, as directed by the Debts Recovery Appellate Tribunal within a period of two months from the date of first deposit. Thus, the total amount of Rs. 30 Lacs as directed by the Debts Recovery Appellate Tribunal shall be deposited within a period of four months from today.

2. The Debts Recovery Appellate Tribunal shall decide the appeal presented by the Petitioner in accordance with provisions of law. It is clarified that this Court has not considered contentions raised by the Petitioner and it is open for the Debts Recovery Appellate Tribunal to consider all contentions in accordance with provisions of law. In view of above, writ petition is disposed of.

3. The interim protection granted by this Court earlier, shall remain operative for a period of four months from today. It is open for the Petitioner to apply to the appellate forum for grant of further interim protection and appellate forum may consider it on its own merit.

(A. S. GADKARI, J.)

(R. M. BORDE, J.)