

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION ST. NO.15661 OF 2016

Mubarak Gousalzam Shaikh & Ors.	..Petitioners
Vs.	
Dairy Rich Foods & Ors.	..Respondents

Mr. Shashank C. Mangle for Petitioners.
Mr. Bhooshan R. Mandlik i/b Mr. Chetan G. Patil for Respondent No.1.

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

DATE: 20 FEBRUARY 2017.

P.C.:

1] The Debt Recovery Tribunal has exercised its discretion in condoning the delay of 925 days in filing second appeal, which order is impugned in this petition at the instance of the auction purchaser.

2] One of the factors weighed the decision of the Tribunal is that, the property worth Rs.80 lakhs i.e. Reserve Price prescribed by the bank, has been sold for about Rs.25 lakhs. The reasons recorded by the appellate forum, according to us, are reasonable and proper and no interference of this Court is called for. The petition being devoid of merits, stands dismissed.

(A.S. GADKARI,J.)

(R.M. BORDE, J.)