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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.13882 OF 2016
WITH
CIVIL APPLICATION NO. 320 OF 2017**

M/s Prominent Tours & Travels P. Ltd. ..Petitioner

Vs.

Kotak Mahindra Bank Ltd & Anr.. ..Respondents

Mr. Sanjay Jain i/b Barsha B. Richhariya for Petitioner.
Mr. R.L. Motwani for Respondent No.1.

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

DATE: 22 FEBRUARY 2017.

P.C.:

1] The learned counsel appearing for the petitioner states that the petitioner has already availed an alternate remedy of presenting appeal before the Debt Recovery Appellate Tribunal (DRAT) and the application seeking interim relief is also presented in the pending appeal before the DRAT. He states that the respondent-bank, in order to realise the amount,

has prescribed the auction of the secured assets on 8th March 2017. In such a circumstances, a request is made for issuance of direction to the DRAT to decide the application for interim relief presented in the pending appeal expeditiously deserves consideration.

2] Considering the facts and circumstances of the case, the writ petition stands disposed of with direction to the Debt Recovery Appellate Tribunal to decide the pending application presented by the petitioner in the pending appeal seeking interim reliefs, as expeditiously as possibly and preferably before 6th March 2017.

3] In view of disposal of the writ petition, the civil application does not survive and stands disposed of.

(A.S. GADKARI,J.)

(R.M. BORDE, J.)