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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION LODG.NO. 36 OF 2017

M/s RTC Metals Pvt Ltd.

..Petitioner.

Vs.

Bank of India & Ors.

..Respondents

Mr. Dinesh Kumar Dubey a/w Mr. Sandesh Jadhav for Petitioner.
Mr. Bidan Chandran i/b Ms. Shraddha K. Khandhadia for Respondent
No.1.

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

DATE: 23 JANUARY 2017.

P.C.:

1 The petitioner is objecting to the action of the bank declaring petitioner's account maintained with the bank as a non-performing assets. The petitioner is also objecting to the Notice dated 21.11.2016 issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcements of Security Interest (SARFESAI) Act, 2002.

2 It is open for the petitioner to tender a reply to the said notice and if at all the Bank proceeds to take any measures under sub-section (4) of section 13 of the SARFESAI Act, those are amenable to challenge under the Section 17 of the SARFESAI Act.

3 In view of the above, no interference is called for in exercise of extraordinary jurisdiction under Article 226 of the Constitution of India. The petition being devoid of merits is accordingly dismissed with liberty to take appropriate steps as and when cause of action accrues.

(A.S. GADKARI,J.)

(R.M. BORDE, J.)