

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

WRIT PETITION (L) NO.1597 OF 2017

ICICI Bank Limited

..Petitioner

Versus

The State of Maharashtra and others

..Respondents

**Mr. Venkatesh Dhond, Senior Advocate a/w Mr. Rashmin Khandekar,
Ms. O. Neogi i/by M/s. AZB & Partners for the Petitioner.**

Mr. Kedar Dighe, AGP for the Respondent No.1 – State.

**Mr. I. Nasikwala a/w Mrs. Bagirathy Bahulayani for the Respondent
No.3.**

**CORAM : B. R. GAVAI &
SANDEEP K. SHINDE, JJ.
DATE : 9th OCTOBER, 2017**

PC.

1] The Petition challenges the order dated 12th June, 2017 vide which the application filed by the present Petitioner for condonation of delay has been rejected.

2] Heard Mr. Venkatesh Dhond, learned senior counsel for the Petitioner and Mr. Kedar Dighe, learned AGP for the Respondent No.1 – State and Mr. Nasikwala for the Respondent No.3.

3] A perusal of the order passed by the learned DRAT reveals that the learned DRAT has given sound detailed and cogent reasons while rejecting the application filed by the present Petitioner. Not only this, but

the perusal of the record of the learned DRT revealed that the Petitioner was even not defending the matter before the learned DRT. A perusal of the Roznama revealed that prior to the order dated 28th June, 2016 being passed by the learned DRT, various directions on earlier occasion were issued to the present Petitioner. The order dated 28th June, 2016 appears to have been passed on account of non-compliance with the earlier directions. In that view of the matter, no interference is warranted in the extraordinary jurisdiction of this Court under Article 227 of the Constitution of India. The Petition is accordingly dismissed.

4] At this stage, Mr. Venkatesh Dhond, learned senior counsel for the Petitioner submits that an application for modification of the order dated 28th June, 2016 is already filed before the learned DRT. It is needless to state that if such an application is filed, learned DRT would be required to consider it in accordance with law.

[SANDEEP K. SHINDE, J]

[B. R. GAVAI, J]