BDPPS

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

WRIT PETITION NO. 2142 OF 2014

Housing Development Finance ..... Petitioner.

V/s

The Debts Recovery Appellate Tribunal
and Others. ..... Respondents.

Mr. Rohan Cama a/w Mr. Aniruddha Lad, Mr. Biju Joseph i/b B.J. Law Offices LLP for the Petitioner.
Mr Mohamedali Chunawala a/w Mr. P.S. Gujar for Respondent No.2.
Mr. Priyabhushan Kakade for Respondent Nos. 3 and 4.

CORAM: R.M. BORDE &
A.S. GADKARI, JJ.

DATE: 9th January, 2017

P.C.:-

1] Since the proceeding presented by the Respondent and pending before MDRT-1 bearing SA No.77 of 2006 has been dismissed on 05.10.2015, the present Petition directed against the order of DRAT is rendered infructuous. Determination on the issue touching legal aspects involved in the appeal by the DRAT is specifically kept open for consideration as and when such occasion arises.

2] Writ Petition accordingly stands disposed of having been rendered infructuous. In the event of restoration of SA No.77 of 2006, there shall be liberty to the Petitioner to avail of the remedies available in law.

(A.S. GADKARI, J.) **(R. M. BORDE, J.)**