

Nalawade

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

WRIT PETITION NO. 2729 OF 2016

Tamilnad Mercantile Bank Ltd. ...Petitioner.

vs.

Umesh Goyal,
Prop. of M/s. Goyal Industries. ...Respondents.

Ms.Nupur Awasthi i/by M/s. Consulta Juris for the Petitioner.
Mr. Umesh Goyal-Respondent in person present.

CORAM : R.M. BORDE AND

A.S. GADKARI, JJ.

DATE : 20th February, 2017

PC:

1. This petition is presented by the bank seeking expeditious disposal of the Securitization Application No.65 of 2013 pending before the Debt Recovery Tribunal-III, Mumbai.

2. Notice issued to respondent No.1 is returned unserved, however, the respondent No.1 is present in person. Respondent No.1 has produced on record identification proof, copy of which is taken on record and marked "X" for identification. Respondent No.1 submitted that the matters of the Advocate representing him are not taken up by Debt

Recovery Tribunals, Mumbai and there is resolution passed by the Presiding Officers of the Debt Recovery Tribunal in Mumbai resolving not to take up the matters of the concerned Advocate. In such circumstances, only alternative available is to transfer the matter pending before the Debt Recovery Tribunal-III Mumbai to Debt Recovery Tribunal, Pune. Accordingly, Securitization Appeal No.65 of 2013 along with other pending applications presented in the said Securitization Application shall stand transferred to Debt Recovery Tribunal, Pune. The Debt Recovery Tribunal, Pune is directed to decide the Securitization Appeal along with pending applications within three months from the date of receipt of the papers.

3. With the aforesaid directions, writ petition is disposed off.

(A.S.GADKARI, J.)

(R.M. BORDE, J.)