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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4957 OF 2017

Punjab and Maharashtra Co-op. Bank Ltd. .. Petitioner
Vs.
Chairperson Debt Recovery Appellate Tribunal
& Ors. .. Respondents

Ms. Deepti Panda a/w. Mr. Devansh Bheda i/b M/s. Purnanand & Co. for the Petitioner.

Mr. Chetan G. Patil for the Respondent No.2.

Mr. Shashank C. Mangle for the Respondent Nos.3 to 5.

CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.

DATE : 13th JUNE, 2018.

P. C. :

1. The very order of DRT impugned in the present Petition was separately challenged by Respondent Nos.3 to 5-Auction Purchasers in Writ Petition (Stamp) No. 15661 of 2016 wherein an order dated 20.02.2017 came to be passed by the Division Bench, which reads as follows:

“1] The Debt Recovery Tribunal has exercised its discretion in condoning the delay of 925 days in filing second appeal, which order is impugned in this petition at the instance of the auction purchaser.

2] One of the factors weighed the decision of the Tribunal is that, the property worth Rs.80 lakhs i.e. Reserve Price prescribed by the bank, has been sold for about Rs.25 lakhs. The reasons recorded by the appellate forum, according to us, are reasonable and proper and no interference of this Court is called for. The petition being devoid of merits, stands dismissed.”

The aforesaid order was challenged in the Supreme Court. The SLP was dismissed by the Supreme Court on 30.01.2018.

2. In the circumstances, the present Petition cannot be entertained and is dismissed for the reasons mentioned in the order dated 20.02.2017 of the Division Bench.

3. We grant liberty to the Petitioners to apply to the DRT for expeditious disposal of the Securitization Application.

[V. L. ACHLIYA, J.]

[A. A. SAYED, J.]