

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

WRIT PETITION NO. 1122 OF 2018

...
 Omega Premises Pvt. Ltd. .. Petitioner
 Vs.
 The Authorised Officer, Asset Recovery Cell
 & Ors. .. Respondents

...
 Mr. Vineet B. Naik, Sr. Advocate a/w. Mr. S. B. Khurjekar i/b Sukand R.
 Kulkarni for the Petitioner.
 Ms.Jyoti Jadhav, AGP for the Respondent No.4.
 Mr.D.Y.Wani for Respondents Nos.1 and 2.

...
CORAM : A.A. SAYED &
A.M.BADAR, JJ.

DATED : 2 FEBRUARY 2018

P.C.:

Since the Petitioner has already filed a fresh Securitization Application under section 17(1) of the SARFAESI Act on 15 January 2018 before DRT challenging the Corrigendum of August 2017, we are not inclined to entertain the Petition.

2. Inasmuch as the Corrigendum is issued after the order of DRT dated 31-05-2017 dismissing the Securitization Application No.82 of 2017, the Petitioner would be at liberty to agitate all issues as per law in the fresh Securitization Application.

3. The Court is informed that the auction is due to be conducted on 6 February 2018. We direct that the auction bids shall not be finalized until 22 February 2018. Before that date the Petitioner would be at liberty to apply for ad-interim/interim relief before the DRT, which shall be considered on its own merits. All contentions of the parties are kept open.

4. The Petition to stand disposed of accordingly.

All concerned to act on authenticated copy of this order.

(A.M.BADAR,J.)

(A.A.SAYED, J.)