

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO.1436 OF 2018

Ravi A. Shetty and another

...

....Petitioners

v/s.

The State of Maharashtra & ors.

....Respondents

...

Mr.Ankit Lohia and Mr.Chetan Shah a/w Mr.Rakesh Agrawal for the
 Petitioners.

Mrs.K.R,Kulkarni, AGP for the State.

Mr.Harshad Sathe i/b Saurabh Bhutala for the Respondent No.2.

...

CORAM : A.A. SAYED &

A.M.BADAR, JJ.

DATED : 2 FEBRUARY 2018

P.C.:

The matter was mentioned in the morning and kept on the
 production board in the afternoon in view of the urgency expressed.

2. Inasmuch as the Petitioner has an alternate efficacious remedy, we
 are not inclined to entertain the Petition. The Petitioner would be at liberty
 to take recourse to alternate remedy before the appropriate DRT.

3. Considering the facts and circumstances of the case and to
 facilitate the Petitioner to invoke the alternate remedy, we direct that the
 Respondent No.2-Bank shall defer taking possession of the flat in question
 for a period of two weeks from today.

4. The Petition is disposed of in the aforesaid terms. It is made clear that we have not expressed any opinion on merits of the matter. All contentions of the parties are kept open.

All concerned to act on authenticated copy of this order.

(A.M.BADAR,J.)

(A.A.SAYED, J.)