IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2275 OF 2018

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Mr. Kishanlal Jogaram Bishnoi ....Petitioner
V/S
Federal Bank & Anr. ....Respondents

...

Mr. Sidharth Samantarey with Mr. Vimla U Phadke for the Petitioner.
Mr. O.A. Das for the Respondents.

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CORAM : A.A. SAYED &
V.L. ACHLIYA, JJ.
DATE : 22 FEBRUARY 2018.

ORDER:

1 The Petitioner has already filed an Appeal before the DRAT, Mumbai however, the Presiding Officer, DRAT, Mumbai is on leave. We are informed that the Presiding Officer, DRAT, Mumbai is not available till 12 April 2018.

2 Learned Counsel for the Respondent Bank has filed Affidavit-in-Reply and submitted that possession of the secured asset has already been handed over to the Auction Purchaser. Learned Counsel for the Petitioner however disputed this position.

3 Inasmuch as the Petitioner has a remedy of approaching the DRAT, Chennai who has been granted charge for deciding the Appeals before the DRAT, Mumbai, we refrain from entertaining the Petition.

4 To facilitate the Petitioner in approaching DRAT, Chennai, we direct that for a period of two weeks from today the parties shall maintain statusquo in respect of the secured asset.

5 The Writ Petition to stand disposed of.

(V.L. ACHLIYA, J.) **(A.A. SAYED,J.)**

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