

Amk

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

WRIT PETITION NO. 3759 OF 2018

Genesis Remedies Pvt. Ltd. & Ors. .. Petitioners
Vs.
State of Maharashtra & Ors. .. Respondents

Mr. Gauraj Shah a/w. Mr. Sanjay Dubey i/b Omar Khaiyam Shaikh for the
Petitioners.
Ms. Jyoti P. Jadhav, AGP for the Respondent-State.

CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.
DATE : 27th MARCH, 2018.

P. C. :

1. Leave to annex the notice dated 23.02.2017 (correct date appears to be 23.02.2018) to the Petition addressed by the Circle Officer, Chinchwad, Pune. Amendment to be carried out forthwith. The learned Counsel for the Petitioners states that the Respondent-Bank has been served and Affidavit of service shall be filed by tomorrow. The statement is accepted.

2. In as much as the Petitioners have an alternate remedy of approaching the DRAT to challenge the impugned ad-interim order of DRT, we are not inclined to entertain the Petition. We make it clear that the DRAT would be free to pass any appropriate orders as it deems fit without being influenced by this order.

3. The statement of the learned Counsel for the Petitioners is recorded that to show his bonafides the Petitioner shall pay the Respondent Bank a sum of Rs. 10 lakhs within 10 days from today.
4. Since the secured asset is residential premises, the Respondent-Bank shall defer taking possession of the secured asset which is scheduled to be taken tomorrow i.e. on 28.03.2018.
5. The Writ Petition is disposed of in the aforesaid terms.

[V. L. ACHLIYA, J.]

[A. A. SAYED, J.]