

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

WRIT PETITION NO.3815 OF 2018

...
M/s.Ciemme Jewels Ltd. ...Petitioner
v/s.
State Bank of India & Anr. ...Respondents

...
Mr.Anirudha Deo i/b Ms.Deepali Jadhav for the Petitioner.
Mr.Manoj Kumar for the Respondent No.1.

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

DATED : 26 MARCH 2018

P.C.:

The matter was mentioned in the morning and in view of urgency expressed, the same is placed on the production board at 3 p.m.

2. The Petitioner has impugned the order dated 20 March 2018 passed by the DRT, whereby the Securitization Application of the Petitioner has been dismissed. A notice was issued by the Court Commissioner to the Petitioner for taking possession of the secured asset tomorrow i.e. 27 March 2018 at 11 a.m., which was subject matter of the Securitization Application.

3. It is pointed out by the learned Counsel for the Respondent-Bank that as of today the dues are more than Rs.65 crores and that after section

13(2) notice dated 30-11-2015, there is no payment made by the Petitioner, despite the fact that the Petitioner had behind the back of the Respondent-Bank leased out the secured asset to some third party from whom he is receiving the lease rent.

4. The Petitioner has an alternate remedy of approaching the DRAT. Hence, the exercise of writ jurisdiction is not warranted to grant any reliefs to the Petitioner. The Writ Petition is dismissed. No order as to costs.

(V.L.ACHLIYA,J.)

(A.A.SAYED, J.)