

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

**WRIT PETITION NO. 7119 OF 2018**

M/s. Maruti Civil Works & Anr. ... Petitioners  
V/s.  
Bank of India & Ors. ... Respondents

Mr. Mathew Nedumpara a/w Mr. Devang Parmar i/b Rohini M. Amin for the Petitioners.

Mr. Anand Shinde a/w Mr. Prashant A. Shinde for Respondent No.1.

Mr. Ashutosh Kulkarni a/w Ms. Akanksha Helaskar, Mr. Gaurav Sharma for Respondent No.2.

Ms. Jyoti P. Jadhav, A.G.P. for the State.

**CORAM : A.A. SAYED AND  
K.K. SONAWANE, JJ.**

**DATE : 11<sup>th</sup> JULY, 2018.**

**P.C. :**

1           The Petitioners are essentially challenging the order of the District Magistrate under Section 14 of the SARFAESI Act and are also seeking compensation for the losses alleged to have suffered by the Petitioners.

2           The Petitioners have already filed a Suit being S.C. Suit (L) No.9130 of 2018 in the City Civil Court at Bombay and have inter alia sought compensation. So far as the challenge to the order of District Magistrate is concerned, the learned Counsel for the Petitioners submitted that the DRT

does not have jurisdiction. We are unable to agree. In view of the judgments of the Supreme Court of India in the cases of **(i) Agarwal Tracom Private Limited vs. Punjab National Bank & Ors. (2018) 1 SCC 626**, **(ii) United Bank of India vs. Satyawati Tondon and Others, (2010) 8 SCC 110**, **(iii) Kanaiyalal Lalchand Sachdev & Ors. vs. State of Maharashtra & Ors. (2011) 2 SCC 782** and **(iv) Authorised Officer, Indian Overseas Bank and Anr. vs. Ashok Saw Mill, (2009) 8 SCC 366**, the Petitioners have an alternate remedy before the DRT.

3           We do not find any merit in the contention of the learned Counsel for the Petitioners that since the reliefs claimed are multifarious, the Petitioners cannot be relegated to different forums to seek different reliefs and therefore, the Writ Petition ought to be entertained.

4           The Petition is dismissed. No costs.

**(K.K. SONAWANE, J.)**

**(A.A. SAYED, J.)**

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Sushil  
Waghmare

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