

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO.3746 OF 2018

Housing Development Finance Corporation
(HDFC) Limited

.... Petitioner

versus

The National Company Law & Anr.

... Respondents

.....

- Mr.Vishwanath Patil a/w Ramakant Yadav i/b. RHY Juris Law, Advocate for Petitioner.
- None for Respondent.

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**

DATE : 21st NOVEMBER, 2018.

P.C. :

1. Heard learned Counsel. Personal property of a Director of a company, against which insolvency proceedings are initiated in May 2018, cannot be subject to those proceedings and the mortgage of Petitioner's secured creditor has to prevail.
2. During hearing we find that Petitioner has already moved necessary Application in Company Law Tribunal. It is

apparent that whenever Company Law Tribunal proceeds further in the matter, the grievance of Petitioner will be required to look into.

3. Hence at this stage, we are not inclined to intervene in the matter. With liberty to approach again, if any other causes arise, we dispose of Petition.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)