

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

WRIT PETITION (STAMP) NO. 11106 OF 2019

Nirmala B. Bhintade W/o Balasaheb
Bhintade & Anr.

....Petitioners

V/S

SBI Global Factors Ltd. & Anr

....Respondents

Navaneetha Krishnan T, for the Petitioners.

Mr. Rohit Gupta a/w Dhaval Patil for Respondent Bank.

**CORAM : A. A. SAYED &
PRAKASH D. NAIK, JJ.**

DATED : 25th JUNE 2019

P.C.:

In view of the judgment of the Apex Court in Kanaiyalal Lalchand Sachdev & Ors. v/s State of Maharashtra & Ors, (2011) 2 SSC 782, by consent of the learned Counsel for the parties, the impugned order dated 08.03.2019 of the DRAT is set aside.

2. The matter is remitted back to DRAT for consideration afresh. Before entertaining the Appeal, DRAT shall consider the issue of statutory deposit u/s 18 of the SARFAESI Act.

3. We record the statement of learned Counsel for the Respondent No. 1 that for a period of ten days from today, the auction sale shall not be confirmed.

4. The Petition to stand dispose of.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)