

jsn

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

**WRIT PETITION (ST.) NO.11122 OF 2019
WITH
CIVIL APPLICATION NO. 985 OF 2019
IN
WRIT PETITION (ST.) NO.11122 OF 2019**

Capt. Swaroop Moreshwar and Anr. ... Applicants /
Petitioners
V/s.
Shriram City Union Finance Ltd. & Ors. ... Respondents

Mr. Naushad Engineer, with Hasmit Trivedi i/b A. Jadhav for the
Applicants / Petitioners.

Mr. Rajesh Nagory with Mr. Shashank Fadia, and Priyanka Fadia
for the Respondent No.1.

**CORAM: A.A.SAYED &
R. I. CHAGLA, JJ.
DATE: 23RD APRIL, 2019.**

PC:-

1. The Petitioners have impugned the order dated 28th March, 2019 of the DRAT dismissing the Miscellaneous Application of the Petitioners in Appeal. The Appeal is filed challenging the order dated 24th October, 2018 of the DRT. The Appeal is now adjourned to 26th June, 2019.
2. The impugned order of DRAT records that the Petitioner has purchased the property in question knowing about mortgage. This is an admitted position before this Court also. In the circumstances, we do not find any infirmity in the impugned order

of DRAT. No case is made out to exercise the writ jurisdiction of this Court. The Writ Petition is accordingly dismissed. The Civil Application would not survive and to stand disposed of.

(R. I. CHAGLA, J.)

(A.A.SAYED, J.)