IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION {ST} NO. 16098 OF 2019

Singha Kalu Nobo Kumar and ors. ...Petitioners

Vs.

The Chief Metropolitan Magistrate
and Ors. ...Respondents

Adv. Ms. Rana Subramanian i/by M. Ramesh for Petitioner.
R.S. Pawar, AGP for Respondent no.1 – State.
Mr. Ashish Kamath a/w Mr. Nikhil Rajani & Ms. Jyoti Sanap I/by M/s. V. Deshpande & Co. for Respondent Nos. 3 and 4.

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

DATE : 17th JUNE 2019

P.C.:

1. The Petitioners claim to be a Licensees of the secured asset viz. Flat No. 6 in question, possession of which has been taken over by the Respondent no. 4, pursuant to an order dated an 03.04.2019 of the Chief Metropolitan Magistrate under Section 14 of the SARFEASI Act. The Petitioners have a remedy before the DRT. In the circumstance we are not inclined to entertain the Petition. The Petition is accordingly dismissed with liberty to the Petitioners to approach the DRT.

2. The Petitioner may apply to the Respondent no. 4 for removal of their articles from the said Flat No. 6, which shall be considered favourably by the Respondent No. 4.

(PRAKASH D. NAIK, J) **(A.A. SAYED, J.)**

Umesh Malani