

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO. 21901 OF 2019

Mr. Sumit Malhan

... Petitioner

v/s.

Mr. Tushar Anil Thakkar & Ors.

... Respondents

Ashish Dubey for the Petitioner.

V. S. Gokhale, B Panel Counsel for the Respondent No. 3-State

CORAM : A. A. SAYED &
PRAKASH D. NAIK, JJ.
DATED : 6th August, 2019

P.C.:

The Petitioner claims to the licensee in respect of the secured asset in question viz. Flat No. A-1001, 10th Floor, Galaxy Heights CHS Ltd., Link Road, Goregaon (W), Mumbai - 400104 under a Leave and License Agreement dated 08.12.2017. The Respondent No. 1 is a borrower/owner and has mortgaged the said flat to the Respondent No. 2- Corporation Bank.

2. The Petitioner has a remedy before the D.R.T. In the circumstances, we are not inclined to entertain the Petition. The Petition is dismissed with a liberty to the Petitioner to approach the D.R.T.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)