

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1956 OF 2019
 IN
 WRIT PETITION (ST.) NO.34767 OF 2018

Pravin Shriram Gholap	...	...Applicant
V/s.		
Lala Urban Co-Op Bank Ltd.	...	... Respondent
Mr. B.S. Nayak, for the Applicant.		
Mr. Abhaykumar Apte, for the Respondent.		
	...	

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

DATED : 20 AUGUST 2019

P.C.:

The Applicant has already filed a Securitization Application before the DRT. We are informed by the learned Counsel for the Applicant that since the papers are not traceable by the Department of the DRT, the DRT could not be moved. The physical possession of the secured asset in question is to be taken tomorrow i.e. 21-08-2019 at 10.30 a.m.

2. We direct that in the event the Petitioner pays a sum of Rs.2,00,000/- (Rupees Two Lakh) to the Respondent-Bank by 10 a.m. tomorrow, the Respondent-Bank shall defer taking possession of the secured asset.

3. We clarify that the DRT may pass orders as it deems appropriate in the Securitization Application and the Interim Application, if any, without being influenced by this order.
4. The Civil Application to stand disposed of in the aforesaid terms.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)