

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

WRIT PETITION (ST.) NO.24116 OF 2019

Digambar A. Pingle

.. Petitioner

Vs.

Bank of Maharashtra

.. Respondent

.....

Mr.D.P. Desai i/b. Mr.Mayur V. Faria, Advocate for the Petitioner.
Ms.Rathina Maravarman, Advocate for Respondent – Bank.

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

DATED : AUGUST 27, 2019.

P.C. :

The notice dated 9th August, 2019 for taking possession of the secured asset i.e. Flat No.1202, 12th Floor, Prathamesh Co-op. Hsg. Soc. Ltd., Dadar, Mumbai was served on the Petitioner on 11th August, 2019. Instead of approaching the DRT, the Petitioner has approached this Court at eleventh hour when physical possession of the said flat is to be taken today. It is pointed out on behalf of the Respondent-Bank that there are other accounts of the Petitioner including his proprietary firm and private limited company wherein the outstanding dues are more than Rs.80 crores.

2 In view of the above, we are not inclined to entertain the Petition. The Petition is dismissed with liberty to the Petitioner to approach the DRT.

(PRAKASH D. NAIK, J.)

(A.A. SAYED, J.)