

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (ST) NO.25561 OF 2019

M/s.Miracle Clothing Pvt.Ltd. & ors.	...	...Petitioners
v/s.		
Authorised Officer/Chief Manager & Ors.		...Respondents
	...	
Mr.Akshay A. Deshmukh for the Petitioners.		
	...	

CORAM : A.A. SAYED &
PRAKASH D. NAIK, JJ.
DATED : 18 SEPTEMBER 2019

P.C.:

The possession of the secured assets i.e. residential flats Nos.704 and 705 is scheduled to be taken tomorrow i.e. 19-09-2019 at 11 a.m. under the provisions of the SARFAESI Act. The Petitioners had earlier filed S.A.No.263 of 2019 before the DRT, wherein an order came to be passed on 18-07-2019. The Petitioners have not challenged that order before the DRAT. Instead of approaching the DRT/DRAT, the Petitioners have filed this Petition. The Petitioners have not even served a copy of the present Petition upon the Respondent-Bank. Inasmuch as, the Petitioners have a remedy before the DRT/DRAT, we are not inclined to entertain the Petition. The Petition is dismissed with liberty to the Petitioners to resort to appropriate remedies available in law.

2. A copy of this order shall be communicated by the learned Counsel for the Petitioners to the Respondent-Bank.

(PRAKASH D. NAIK,J.)

(A.A.SAYED, J.)