

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION (ST) NO. 27076 OF 2019**

Ramesh Mandal Patel

... Petitioner

V/s

State of Maharashtra & Anr.

... Respondents

Mr. Ghanshyam Upadhyay a/w. Ratnesh Mishra i/b. Law Juris for the Petitioner.

Ms S. S. Bhende, AGP for the State

**CORAM :       A. A. SAYED &  
                      PRAKASH D. NAIK, JJ.  
DATED :       18<sup>th</sup> October, 2019**

**P.C.:**

It is the contention of the Petitioner, who is the borrower, that the order dated 12<sup>th</sup> July, 2019 under section 14 of the SARFAESI Act is passed by the District Magistrate, Raigad without hearing the Petitioner. The Petitioner has filed an Application before the District Magistrate for recall of the said order. It is contended that the said Application is not being entertained and not being heard by the District Magistrate

2. It is settled law that the borrower has no audience before the District Magistrate and he is not required to be heard by the District Magistrate. The Petitioner has a remedy to challenge the order dated 12<sup>th</sup> July, 2019 of the District Magistrate before the DRT.

3. In the circumstances, this is not a fit case to exercise the extra-ordinary writ jurisdiction of this Court.
4. The Petition is dismissed.

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

**(A.A.SAYED, J.)**