

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION STAMP NO.30630 OF 2019

Mr. Sudhir Iccharam Dixit

..Petitioner

Versus

The Kapol Co-operative Bank Ltd. & Anr.

..Respondents

Mr. E. A. Sasi, Advocate for the Petitioner.

Mr. R. M. Haridas, Advocate for Respondent No.1 – Bank.

Mr. M. M. Pabale, AGP for Respondent No.2 – State.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 9th DECEMBER, 2019

P.C.

1] We find no merit in the Writ Petition for the reason, there are no pleadings as to what is the current outstanding due to the 1st Respondent Bank. Order dated 02.08.2019 passed by learned DRT in SA No.100/2019 records that the Tribunal was prepared to stay auction by the Bank to sell the mortgaged assets provided the Petitioner paid 30% of the defaulted amount.

2] As recorded above, the Petitioner has not stated what Petitioner admits as the outstanding dues.

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3] The impugned order shows that current outstanding dues payable by the Petitioner are above ₹ 7 Crores. The Petitioner has remedy against the order passed by DRT by filing an Appeal before DRAT.

4] The Petition is dismissed.

Balaji
G.
Panchal

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Balaji G.
Panchal
Date:
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SMT. BHARATI DANGRE, J

CHIEF JUSTICE