

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION (STAMP) NO.36013 OF 2018

Ms. Nigar Abdul Malik Shaikh & Anr. V/S The Fedral Bank Limited & Ors.		Petitioners Respondents
Mr. Zakir M. Shaikh for the Petitioners. Mr. V.N. Ajikumar for Respondent No.1/Bank.	...	

**CORAM : A.A. SAYED &
RIYAZ I. CHAGLA, JJ.**
DATE : 07 JANUARY 2019

ORDER:

1 The Petition challenges the order dated 19 November 2018 passed by the Respondent No.3 - District Collector under section 14 of the SARFAESI Act as also letter dated 5 November 2018 of the Respondent No.2 Tehsildar seeking to take possession of the flat in question on 18 December 2018. We are informed that on 18 December 2018 possession of the flat could not be taken as police assistance was not made available.

2 Inasmuch as the Petitioners have an alternate remedy before the DRT, we are not inclined to entertain the Petition. The Writ Petition is dismissed.

(RIYAZ I. CHAGLA, J.)

(A.A. SAYED, J.)