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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION (L) NO. 7 OF 2019

Rajesh Upadhyaya & Anr. ... Petitioners
V/s.
NKGSB Bank and Ors. ... Respondents

Mr. Amogh Singh i/b. Mr. Jeet Gandhi for the Petitioners.
Mr. A.R. Gole, for Respondent No.1.
Mr. Deepali Patankar, AGP for Respondent No.3.

**CORAM: A.A.SAYED &
RIYAZ I. CHAGLA, JJ.**
DATE: 04TH JANUARY, 2019.

PC:-

1. Inasmuch as the Petitioners have an alternate remedy before the DRT, we are not inclined to entertain this Petition.
2. We are informed that the date fixed of taking possession of the secured assets is on Monday, 7th January, 2019 at 11.00 a.m. The Respondent bank shall defer taking possession of the secured assets for a week, subject to the Petitioners paying Rs.10 lakhs to the Respondent bank by RTGS by tomorrow i.e. 5th January, 2019. If the amount of Rs.10 lakhs is not paid by tomorrow, the Respondent bank will be free to take possession of the secured assets as scheduled by notice dated 18th December, 2018. We make it clear that if the Petitioners approach the DRT, the DRT will be at liberty to pass orders as it deems appropriate.

3. Subject to the above the Writ Petition is dismissed.

(RIYAZ I. CHAGLA J.)

(A.A.SAYED,J.)