

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

WRIT PETITION (L) NO.2122 OF 2019

Inayat Abdullah Shaikh and others

Petitioners

versus

Dewan Housing Finance Corpn. Ltd.

Respondents

Mr.Jamshed Ansari for Petitioners.

Mr.R.L.Motwani for respondent DHFL.

CORAM : A.A.SAYED AND
PRAKASH D. NAIK, JJ.

DATE : 19th July 2019

PC :

1. The Petitioners have already filed an Appeal before DRAT. The Chairperson, DRAT, however, is not available at present and is on leave till 26-9-2019. We are informed that possession of the secured asset, which is residential premises of the Petitioners, is due to be taken tomorrow i.e. 20th July 2019.

2. In the facts and circumstances and having regard to the fact that the Appeal of the Petitioners is pending before DRAT, we pass following order :

ORDER

(a) In the event the Petitioners handover a demand draft of a sum of Rs.3,50,000/- by 12.00 noon tomorrow to the Respondent-Bank, the Respondent-Bank shall defer taking possession of the secured asset for a period of four weeks;

- (b) The Petitioners would be entitled to seek reliefs before DRAT in the Appeal and the DRAT shall be free to pass orders as it deems appropriate without being influenced by this order;
- (c) The Writ Petition is disposed of in the above terms.

(PRAKASH D. NAIK, J.)

(A.A.SAYED, J.)

MST