

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

WRIT PETITION (L) NO.2861 OF 2019

Omark International
Versus
Union of India & Ors.

..Petitioner
..Respondents

Mr. Harekrishna Mishra i/by Law Global, Advocate for the Petitioner.
Mr. Inayat Ali Qureshi a/w Huda Qureshi i/by K. K. Associates,
Advocate for Respondent No.3.
Mr. Himanshu Takke, AGP for Respondent No.4 – State.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 13th NOVEMBER, 2019

P.C.

1] The Petitioner has availed remedy under Section 17 of the SARFAESI Act, 2002 against the order dated 21.08.2019 passed by the learned Additional Chief Metropolitan Magistrate, Mumbai appointing Court Commissioner to take possession of the secured asset.

2] Thus, we dispose of the Writ Petition without any adjudication requiring the Petitioner to obtain orders from learned Debts Recovery Tribunal.

3] We note that a prayer has been made in the Writ Petition to direct Respondent Nos.1, 2 and 3 to formulate a comprehensive

(7)-WPL-2861-19.doc.

scheme for One Time Settlement (OTS).

4] We note that RBI has already issued guidelines for One Time Settlement offers to be made and accepted by Banks. Thus, the question of issuing any direction to Respondent Nos.1, 2 and 3 to formulate a comprehensive OTS guidelines does not arise.

**Balaji G.
Panchal**

Digitally signed
by Balaji G.
Panchal

Date: 2019.11.13
17:30:49 +0530

SMT. BHARATI DANGRE, J

CHIEF JUSTICE