

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION (STAMP) NO.13680 OF 2020

RASHID OSMANSAB SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Shri G.R.Syed
ASG for Union of India : Shri A.G.Talhar
AGP for Respondent State : Shri S.N.Kendre

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CORAM : RAVINDRA V. GHUGE & SHRIKANT D. KULKARNI, JJ.
Dated: August 24, 2020

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PER COURT :-

1. We have heard the learned Advocate for the petitioner, who informs us that the Debt Recovery Tribunal is not available and, therefore, he has approached this Court. He further submits that respondent No.3 Bank has already taken the symbolic possession of the property and hence, the petitioner is not seeking interim relief as against the notice of recovery dated 9.7.2020, for an amount of Rs.6,52,064/-.

2. Shri Talhar, learned ASG submits that the Debt Recovery Tribunal is now available and on-line hearing has also commenced.

3. Since the learned Advocate for the petitioner contends that symbolic possession of his property has already been taken and that

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he is not praying for any interim relief, this petition is disposed off with liberty to the petitioner to approach the Debt Recovery Tribunal by filing appropriate proceedings. All grounds, legally available to the petitioner, are kept open.

(SHRIKANT D. KULKARNI, J.) (RAVINDRA V. GHUGE, J.)

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