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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1441 OF 2020

Ashok Shamumal Wadhwa

.. Petitioner

Versus

Pegasus Assets Reconstruction Pvt. Ltd.
& Ors.

..Respondents

Mr. Sidharth Samantray i/by Mr. Vivek V. Phadke for Petitioner.
Mr. Umesh Shetty a/w Sharmila D'Souza, Gopal Nayak i/by Flavia
Legal for Respondent No.1.

CORAM: PRADEEP NANDRAJOG, CJ. &
SMT. BHARATI DANGRE, J.

FEBRUARY 12, 2020

P.C.

1. The Petitioner has been constrained to approach this court after having lost the battle before Debts Recovery Tribunal-II, Ahmedabad when vide order dated 16.12.2019 S. A. No. 471 of 2019 filed by the Petitioner under Section 17 SARFAESI was dismissed.

2. The Petitioner has filed an Appeal against the said order before the Debts Recovery Appellate Tribunal at Mumbai. The Presiding Officer of the Appellate Tribunal is on leave till 14.02.2020 meaning thereby he would resume duties on 17.02.2020.

3. Since Appeals are taken up on praecipies filed, we dispose of the Writ Petition taking on record the statement made by the learned Counsel for the 1st Respondent that the possession notice dated 16.01.2020, which envisages that physical possession of the secured asset would be taken over on 20.02.2020, would not be implemented till 29.02.2020.

**Pravin D.
Pandit**

SMT. BHARATI DANGRE, J.

CHIEF JUSTICE

Digitally signed by
Pravin D. Pandit
Date: 2020.02.13
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