

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 2303 OF 2020

Omkara Asset
Reconstruction Co. Pvt. Ltd.
V/s.

... Petitioner

State of Maharashtra & Ors.

... Respondents

Mr. Rohit Gupta a/w. Kunal Kanungo & Rahul Punjabi i/b. V.
Ventaeshwar for the Petitioner

Mr. Jeehan Mehta i/b. Raman Mishra for Respondent No.3.

Mr. Akshay Shinde, 'B' Panel AGP a/w. S.H. Kankal, AGP for the
State.

***CORAM : NITIN JAMDAR &
S. P. TAVADE, JJ.***

DATE : 16 JUNE 2020

(Through Video Conferencing)

P.C. :-

Heard learned Counsel for the Parties.

2. The learned Counsel for the Petitioner states that the Petitioner will apply to the concerned Revenue Authority for modification/change in the revenue entry by which, the name of the Respondent No.2 – Sales Tax Department is entered in the Revenue record. According to the Petitioner, the Petitioner being a secured

creditor has a higher right than the Respondent – Sales Tax Department. The learned Counsel for the Petitioner states that the Petitioner has received certain offers and is likely to recover its dues and therefore there is an urgency.

3. We dispose of the Petition by permitting the Petitioner to make an application to the Respondents for change in the revenue record as sought for. After the application is so made, the concerned Revenue Authority will decide the same within a period of four weeks, after giving opportunity to the concerned parties. If the decision is adverse, it is open to the parties to challenge the same as per law.

4. The Writ Petition is accordingly disposed of.

S.P. TAVADE, J.

NITIN JAMDAR, J.

Jyoti P.
Pawar

Digitally signed
by Jyoti P.
Pawar
Date:
2020.06.16
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