

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 156 OF 2021

Canara Bank,
Rep. By its Aut. Sign Geetha
Yashodhar

..... Petitioners

V e r s u s

State of Goa
Rep. By its Chief Secretary & 2 Ors.

..... Respondents

Mr. Dhananjay Chavan and Mr. Sarvesh Bandekar, Advocates for the
Petitioners.

Mr. S. P. Munj, Additional Government Advocate for the Respondents.

Coram :- M. S. SONAK, J.

Date : 23rd June, 2021

P.C.

1. Heard learned Counsel for the parties.
2. The Petitioners seek a writ of mandamus to the Respondents to proceed with their action under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. The learned Counsel for the Petitioners now agree that out of the three instances referred to in the Petition, in the first instance, the possession of the mortgaged premises has already been handed over to the Bank, in the second instance, the matter is pending before the Debts Recovery Tribunal (DRTs) and in the third instance, some settlement has been reached between the Bank and the borrower. Accordingly, no useful purpose will be served by keeping this Petition pending.

4. The learned Counsel for the Petitioners pointed out that there are instances of unauthorised delegation of statutory powers by the Respondents. In an appropriate case, by giving full particulars and by seeking reliefs, the Petitioners can always address appropriate proceedings to redress such grievances. However, in the present case, it is not possible to go into such grievances.

5. This Petition is therefore disposed of with liberty as aforesaid.

M. S. SONAK, J.