

Diksha Rane

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

WRIT PETITION NO. 7159 OF 2021

M/s. Nectar Prints P Ltd. ..Petitioner
VS.
Cosmos Co-op. Bank Ltd. ..Respondent

Mr. Vivek V. Phadke for petitioner.
Ms. Apoorva Sanglikar i/b. Raval Shah & Co. for the
respondent/bank.

**CORAM : DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE: OCTOBER 26, 2021

P.C. :

1. This writ petition is directed against the auction notice dated September 21, 2021 issued by the respondent/bank.
2. Ms. Sanglikar, learned counsel for the respondent/bank submits that although the auction was scheduled today at 12.00 noon, no bids have been received.
3. Since no bids have been received, the auction notice has become inoperative. In such view of the matter and also having regard to the fact that the petitioner's application under Section 17 of the Securitization and

Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is pending before the appropriate Debt Recovery Tribunal, we dispose of this writ petition by granting liberty to the petitioner to approach the Tribunal and pursue the remedy available to it in accordance with law. No costs.

4. All contentions are left open.

(M.S. KARNIK, J.)

(CHIEF JUSTICE)

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