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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8364 OF 2021

Navnath Kisan Tambe & Ors.

..... Petitioners

VERSUS

**Authorized Officer,
Aavas Financiers Ltd.**

..... Respondent

Mr.S.S.Panchpor for the Petitioners.

Mr.Vivek Patil, i/b. Vivek Patil & Associates for the Respondent.

**CORAM: R. D. DHANUKA AND
R.N.LADDHA, JJ.**

DATE : 9th DECEMBER, 2021

P.C:-

Learned counsel for the petitioners invited our attention to the order dated 16th November, 2021 passed by the Debts Recovery Tribunal, Pune in Interlocutory Application No. 703 of 2021 in Securitisation Application No.193 of 2021 and would submit that out of the amount of Rs. 5 lacs as directed to be paid in paragraph (9) of the said order, the petitioners have already paid the sum of Rs. 2 lacs on the date of the said order and further sum of Rs. 1 lac yesterday. He states that the petitioners have also paid the installment for the month of December 2021 in the sum of Rs.96,260/- to the respondent

yesterday. Statement is accepted.

2. Learned counsel on instruction states that the balance amount of Rs.2,15,000/- would be paid by the petitioners within eight weeks from today to the respondent without fail. The statement made by the learned counsel is accepted as and by way of undertaking to this Court.

3. Learned counsel further states that his client would continue to pay the regular installment from the month of January 2022 subject to the further orders as may be passed by the Tribunal. The statement made by the learned counsel is accepted as and by way of undertaking to this Court.

4. In case of any default in the sum of Rs.2,15,000/-, the petitioners would handover the assets as directed by the Tribunal in the impugned order to the respondent within 48 hours from the date of committing default.

5. Insofar as the charges, if any, recoverable by the respondent from the petitioners for committing delay in making payment as directed by the Tribunal is concerned, the said issue can be decided by the Tribunal

while passing further orders in the pending proceedings after hearing both the parties.

6. For a period of two months, the petitioners are not required to handover possession of the property to the Tribunal in view of the time granted by this Court.

7. Writ petition is disposed of in the aforesaid terms. No order as to costs. The parties to act on the authenticated copy of this order.

[R.N.LADDHA, J.]

[R.D.DHANUKA, J.]