

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Writ Petition No.853 of 2020

M/s. Siddeshwar Cotton Ginning & Pressing Company,
Nagpur and others

...Petitioners

Versus

Union of India, Ministry of Finance through its
Secretary Jeevandeep Building, Sansad Marg, New Delhi ...Respondents
and others

Shri Atul Pande, Advocate for the Petitioners

Ms. M. Chandurkar, Advocate h/f U. Aurangabadkar, ASGI for
Respondent No.1-Union.

Shri A.T. Purohit, Advocate for Respondent No.3.

**CORAM : NITIN JAMDAR AND
ANIL S. KILOR, JJ.**

DATED : 02 FEBRUARY 2021

P.C.:

Heard learned Counsel for the parties.

2. This Petition is filed by the Petitioners - Borrowers, whose application is pending before the Debt Recovery Tribunal, Nagpur.

3. The Petitioners have sought to challenge the order dated 15 January 2020, wherein the Petitioners have been directed to approach the concerned Recovery Officer.

4. After the Petition is filed, notice was issued on 11 February 2020 and the Petitioners were directed to deposit an amount of Rs.10,00,000/- and to bring a purchaser. Further order was passed on 25 February 2020.

5. The learned Counsel for the Respondent No.3-Bank points out that even before these orders were passed, the auction was completed, Sale Certificate was issued to the successful bidder after depositing the amount, and the possession of the property was handed over. That being the position, and the fact that the application of the Petitioners is still pending before the Debt Recovery Tribunal, Nagpur, it is not necessary for us to entertain the petition any further.

6. The Petitioners have made a grievance that when the possession of the Petitioners' residential properties was taken, there were certain household articles. Since the Petitioners' application is pending, needless to say, whatever points in law on facts are available to the parties, they can agitate the same in the pending application.

7. As regards the amount of Rs.10,00,000/- which is deposited with the Registry of this Court, the same will be transferred to the Debt Recovery Tribunal, Nagpur alongwith accrued interest.

8. The Writ Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]