

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 1017 OF 2022

Shriram Housing Finance Limited
Through Authorized Officer,
Mr. Pramod S. Supekar

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Chandrashekhar S. Kulkarni, Advocate for the Petitioner.
Mr. S. K. Tambe, AGP for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 16th FEBRUARY 2022.

PER COURT:-

. We have heard the learned counsel for the petitioner.

2. The borrower it appears has challenged the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act (hereinafter referred to as "SARFAESI Act"), so also possession notice issued by the Circle Officer by filing Securitisation Application No. 112 of 2019. Interim order is passed by the Debts Recovery Tribunal (DRT) in the said Securitisation Application wherein notice issued by the Circle Officer of taking over the possession is quashed. The Securitisation Application is still

pending wherein the order under Section 14 of the SARFAESI Act is a subject matter of challenge.

3. When the DRT is already seized with the matter, it would not be appropriate for this Court to entertain the writ petition. The petitioner may take steps before the DRT as is permissible under law in the pending Securitisation Application.

4. With the aforesaid observations, writ petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.