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

**WRIT PETITION NO. 243 OF 2022**

Dinesh Govind Ghostekar & Anr. ..Petitioners  
Vs.  
Union of India & Anr. ..Respondents

Mr. Prakash N. Ganwani i/by Manish R. Bohra for petitioners.

Mr. Mohamedali M. Chunawala i/by Mr. A. A. Ansari for respondent no.1-UOI.

Mr. R. L. Motwani for respondent no.2.

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

**DATE : FEBRUARY 10, 2022.**

**P.C. :**

1. The petitioners have deposited Rs.12,50,000/- with the respondent no.2, four days beyond the time stipulated by the order dated January 19, 2022. Learned counsel appearing for the petitioners seeks an order for excusing the delay in making the requisite deposit.

2. Since we had required deposit of Rs.12,50,000/- to test the *bona fide* of the petitioners and the deposit has since been made, though four days beyond time, the delay is excused. The respondent no.2 shall be at liberty to appropriate the said deposit Rs.12,50,000/- with its dues without prejudice to the rights and contentions of the parties.

3. In view of deposit as made by the petitioners in terms of the order dated January 19, 2022, we direct that the order of stay passed on that date shall continue till February 28, 2022 or until further orders of the appropriate Debts Recovery Tribunal having jurisdiction to deal with the petitioners' application under section 17 of the SARFAESI Act, whichever is earlier.

4. Since by notification dated February 2, 2022 issued by the Under Secretary to the Government of India, Ministry of Finance, Department of Financial Services, additional charge of Debts Recovery Tribunal-III, Mumbai has been entrusted with the Debts Recovery Tribunal-I, Mumbai, the petitioners shall be at liberty to press for extension of the order of stay/further interim relief in the application filed by them before the DRT-III under section 17. At the same time, the respondent no.2 shall also be at liberty to seek vacation/modification of this order by making appropriate application before the appropriate Debts Recovery Tribunal having jurisdiction if the petitioners approach it for extension of the interim order passed by this Court.

5. With the above directions, this writ petition stands disposed of. No costs.

6. All contentions are left open.

SALUNKE  
JV

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**(M. S. KARNIK, J.)**

**(CHIEF JUSTICE)**