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

WRIT PETITION NO. 1316 OF 2022

Girish Santaramji Nangliya

... Petitioner

Vs.

Housing Development Corporation
Ltd. and anr.

.. Respondents

None for the Petitioner.

Ms. Divya Shetty a/w Mr. H. S. Khokhawala i/b M/s. Nankani
& Associates, for Respondents.

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

DATE : FEBRUARY 24, 2022

P.C. :

1. None appears for the petitioner.
2. In this writ petition dated January 28, 2022, the petitioner seeks to assail a possession notice dated December 21, 2021 as well as e-auction notice dated January 11, 2022 issued by the respondent no. 1.
3. From paragraph 53 of the writ petition, we find that the petitioner has pursued the remedy available under section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 by filing Securitisation Application Diary No. 147 of 2022 before the Debts Recovery Tribunal, Pune (hereafter "DRT(P)", for short) on January 27, 2022. However, the writ

jurisdiction of this Court has been invoked on the ground of vacancy in the office of the Presiding Officer, DRT(P). The office was vacant, but the Presiding Officer, Debts Recovery Tribunal, Aurangabad has been entrusted with the additional charge of DRT(P) by notification dated February 2, 2022 issued by the Under Secretary to the Government of India, Ministry of Finance, Department of Financial Services.

4. In view thereof, we find no reason to keep this writ petition pending for a decision on merits. The same stands dismissed, with liberty to the petitioner to raise all points available to him in law before the appropriate DRT. No costs.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)