

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4208 OF 2022

... M/s.Enviiro Bulkk Handling Systems Pvt.Ltd. and ors. v/s. Invent Assets Securitisation and Reconstruction Pvt.Ltd. & Anr.	...Petitioners ...Respondents
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Adv.Pratap Sampat a/w Adv.Aarti Shyam Suvarna for the Petitioners.
Adv.A.A.Alaspurkar, AGP for State.

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**CORAM : A.A. SAYED &
ABHAY AHUJA, JJ.**

DATED : 07 APRIL 2022

P.C.:

(In view of urgency expressed, taken on Production Board.)

The Petitioners are essentially challenging the notice of the
Tahsildar dated 16-03-2022 for possession of

(a) Row House No.97, Flora City, Village-Talegaon, Tal-Maval,
District- Pune- ownership Mr.Milind Dixit and Mrs.Janhavi Dixit;

(b) Row House No.45, Flora City, Village-Talegaon, Tal-Maval,
District- Pune- ownership Mr.Nitin P.Supe;

pursuant to the order passed by the District Magistrate under section 14 of
the SARFAESI Act.

2. In view of section 60 of the Insolvency and Bankruptcy Code, 2016 (IBC) and since the matter is still pending before the National Company Law Tribunal (for closure-), we **dispose of the Petition** by granting liberty to the Petitioner to approach the NCLT.

3. In the facts and circumstances of the case, however, we direct the Respondent No.2-Tahsildar to defer taking possession of the aforesaid Row-Houses, which is scheduled to be taken tomorrow i.e. 08-04-2022, for a period of three weeks from today.

(ABHAY AHUJA,J.)

(A.A.SAYED, J.)