

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

CRIMINAL WRIT PETITION NO. 3194 OF 2022

Saraswat Co.op. Bank Limited
Through Yatish Balkrishna Samant
Versus
Purnandu Shekharmal Jain
(since Deceased Through Legal Heirs)
Anupama Purnandu Jain And Anr.

...Petitioner

...Respondents

....

Mr. Ashish Raghuvanshi i/b Apoorv Singh, Advocate for the Petitioner.
Mr. S. R. Agarkar, APP for the Respondent – State.

CORAM : PRAKASH D. NAIK, J.
DATE : 6th SEPTEMBER, 2022.

PER COURT:

1. The Petitioner is Bank. The only prayer which is sought in this Petition is that, direction be given to the Special Court under the Maharashtra Protection of Interest of Depositors (In Financial Establishments) Act-1999 (for short “M.P.I.D. Act”) to dispose off the Application preferred by the Petitioner viz. Miscellaneous Application No. 1350 of 2018 wherein prayer was made for releasing the attachment.

2. Learned Advocate for the Petitioner submits that, the said Application is pending before the Court since October, 2018. The Petitioner had initiated the proceedings before the Debt Recovery Tribunal (D.R.T.) under the Secularization and Reconstruction of

Financial Assets and Enforcement of Security Interest Act, 2002 (*Sarfaesi*). The property which are under attachment were mortgaged for obtaining loan from Petitioner-Bank.

3. Without going into the merits of the case since the Application preferred by the Petitioner is pending before the Special Court under the M.P.I.D. Act since 2018, the concerned Court is directed to dispose off the said Application within a period of two months from date of receipt of this order.

4. Writ Petition stands disposed off accordingly.

(PRAKASH D. NAIK, J.)