

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10243 OF 2022**

Kotak Mahindra Bank Ltd. & AnrPetitioners
V/s.
State of Maharashtra & Ors.Respondents

Mr. Prathamesh Kamat a/w Mr. Nikhil Rajani for Petitioners.
Mr. Rohan Sawant i/b Mr. Devashish Godbole for Respondent No.2,
Mr. Mohammed Wasim Qureshi i/b Qureshi & Associates for Respondent
Nos.3 & 5.

**CORAM : K.R. SHRIRAM &
A.S. DOCTOR, JJ
DATED : 8th SEPTEMBER 2022**

PC. :

1 Mr. Kamat tenders draft amendment, which is taken on record and marked 'X' for identification. Leave to amend as per the draft tendered is granted. Amendment to be carried out forthwith, notwithstanding the disposal of this petition.

2 Mr. Kamat in fairness states there has been a delay on the part of petitioners in even filing the application before the District Court, Pune. We find from the petition and the further affidavit of one Shantanu Nayse, affirmed on 8th September 2022 that attachment order on application of respondent no.5 was passed way back in 2012 and petitioners realised about the attachment only in August 2021 though, the debt has been assigned to petitioners sometime in 2015. There has been inordinate delay on the part of petitioners for moving the District Court.

3 We are not inclined to fix any time frame within which petitioners' application should be disposed but we would only request the District Court to dispose petitioners' application as expeditiously as possible, keeping in mind other pending matters.

4 We clarify that we have not made any observations on the merits of the case.

5 Petition disposed with no order as to cost.

(A. S. DOCTOR, J.)

(K.R. SHRIRAM, J.)