

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

WRIT PETITION NO. 7303 OF 2021

Miss. Shraddha Murlidhar Kamthe }	Petitioner
Versus	
The Pune Sahakari Bank Ltd. }	Respondents
and Ors. }	

Mr. Akshay R. Kapadia for the petitioner.

Ms. R. A. Salunkhe-AGP for State.

Ms. Kirti Taralkar i/b. Mr. Shivaji A. Masal for respondent no. 1.

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

DATE: FEBRUARY 24, 2022

P.C.:

1. This writ petition dated 4th October 2021 is directed against an order dated 3rd May 2016 passed by the Debts Recovery Tribunal, Mumbai (hereafter "the Tribunal", for short) in Securitisation Application No. 44 of 2014.

2. It appears from para 35 of the writ petition that an appeal has been carried by the petitioner to the Debts Recovery Appellate Tribunal, Mumbai [hereafter "the DRAT(M)", for short] from such order. Obviously, this writ petition has been presented after the incumbent Chairperson of the DRAT(M) demitted office on 15th September 2021. During the time the appeal was pending before such Chairperson, no real attempt seems to have been made by

the petitioner to obtain stay of operation of the order of the Tribunal or the impugned notices issued under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. Writ remedy is being pursued as a parallel proceeding, which ordinarily is not permissible. In such view of the matter, we are not inclined to entertain this writ petition. The petitioner shall be at liberty to seek relief in the pending appeal before the DRAT(M), in accordance with law.

4. The writ petition stands disposed of. There shall be no order as to costs. All contentions on merits are left open.

SALUNKE
J V

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by SALUNKE J V
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(M. S. KARNIK, J.)

(CHIEF JUSTICE)