

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

WRIT PETITION NO. 215 OF 2022

Shalan Sakharam Patil and Ors.	}	Petitioners
Versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Milind Deshmukh for the petitioners.

Mr. B. V. Samant, AGP for State.

Ms. Apurva Sanglikar i/b. Raval Shah and
Co. for respondent no. 7.

**CORAM: DIPANKAR DATTA, CJ &
PRITHVIRAJ K. CHAVAN, J.**

DATE : JANUARY 12, 2022

P.C.:

1. The principal relief claimed in this writ petition is for a direction on the Collector, Sangli to release the subject property and to make over possession thereof in favour of the petitioners during pendency of Miscellaneous Application No. 1 of 2021 filed in Securitisation Application No. 49 of 2020, pending on the file of the Debts Recovery Tribunal, Pune (hereafter "the Tribunal", for short) in the interest of justice.

2. We are informed by Ms. Sanglikar, learned advocate for the respondent no. 7 (secured creditor) that the matter before the Tribunal is fixed for hearing on February 4, 2022.

3. In such view of the matter, we are of the opinion that the petitioners ought to seek appropriate relief by making proper prayers in the pending proceedings before the Tribunal. The present writ petition, appearing to have been instituted as a parallel proceeding, is impermissible in law.

4. The writ petition stands dismissed, without costs. However, if the Tribunal is approached by the petitioners, their grievance may be considered without being influenced by reason of dismissal of this writ petition.

SALUNKE
J V

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(PRITHVIRAJ K. CHAVAN, J.)

(CHIEF JUSTICE)