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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3407 OF 2019

Indumati Nagindas Sanghvi

....Petitioner

V/s.

Union Bank of India and Ors.

...Respondents

Mr. Sharan Jagtiani, Senior Counsel a/w Mr. Karl Tamboly a/w Ms. Kausar Banatwala a/w Ms. Surbhi Agarwal and Ms. Gauri Sakhardande i/b Mr. Tushar Goradia for Petitioner.

Mr. Charles D'souza i/b Ms. N.I. Bakali for Respondent No.1.

**CORAM : K.R. SHRIRAM &
A.S. DOCTOR, JJ.
DATED : 3rd AUGUST 2022**

P.C. :

1. After the petition was heard for some time, by consent following order is passed :

(a) The order dated 29th October 2019 passed by DRAT and the order passed by DRT dated 18th December 2012 are quashed and set aside.

(b) The matter is remanded to DRT to consider the application filed by petitioner on merits and while considering the application DRT will also consider the grounds raised in this petition.

(c) All rights and contentions of the parties are kept open except maintainability.

(d) Should petitioner wish to amend the Securitization Application, petitioner may amend the Securitization

Application within three weeks from today. Further reply if any, to be filed within three weeks thereafter.

(e) The DRT is directed to dispose the application within six months, subject to its convenience.

(f) Notwithstanding what is recorded above, if respondent places before the DRT any judgment which clearly indicates the jurisdiction of DRT is barred for considering the Securitization Application, the DRT may consider those judgments and pass such order as it deems fit.

2. Ad-interim relief granted by this court on 11th December 2019 will continue for 60 days after disposal of the Securitization Application by the DRT.

3. Petition disposed.

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

(A.S. DOCTOR, J.)

(K.R. SHRIRAM, J.)