

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 730 of 2022

Sau. Sheela w/o Gopalrao Patil

vs.

The Authorized Officer, Babaji Date Mahila Sahakari Bank Ltd., Yavatmal and anr.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Parita N. Lakhani, Advocate for petitioner.

Shri Parijat Pande, Advocate for respondent no. 1.

CORAM :- A.S.CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE :- JULY 18, 2022

Since the learned Presiding Officer was not available at Debts Recovery Tribunal, Nagpur, the petitioner had approached this Court challenging the order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (For short, the SARFAESI Act). By an interim order dated 10.02.2022 the order dated 22.11.2021 was stayed till the next date of the proceedings.

Today, it is informed that the learned Presiding Officer is available at Debts Recovery Tribunal. The petitioner has already filed an application under Section 17 of the SARFAESI Act.

In view of aforesaid, by continuing the interim order dated 10.02.2022 for a period of two weeks from today, the writ petition is disposed of by clarifying that it is open for the petitioner to pursue the application filed under Section 17 of the SARFAESI Act before the Debts Recovery Tribunal. All questions raised in the writ petition are kept open. Needless to state that the Debts Recovery Tribunal shall decide the proceedings on its own merits and in accordance with law.